

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 12th DAY OF DECEMBER 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
C.B. Team
Paxton Motheral

Also present were Dan Buhman, Alan Thomas, Chris Akers, Darrel Andrews, Lisa Cabrera, Linda Christie, Dustan Compton, Ellie Garcia, Zach Huff, Rachel Ickert, Courtney Kelly, Dean Kuhn, Laramie LaRue, Michael Miller, Jennifer Mitchell, Sandy Newby, Jill Spurgeon, Stephen Tatum, Devin Taylor, Kirk Thomas, 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.

There were no persons from the general public requesting the opportunity to address the Board of Directors.

3.

Director Hill moved to approve the minutes from the meeting held on November 14, 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.

With the recommendation of management, Director Kelleher moved to approve the following changes to District policy: 1) amending current District policy on purchasing and procurement to increase certain board approval thresholds from \$75,000 to \$150,000 to reflect recent changes to state law, 2) adding a new Board Governance policy related to Board Compensation to incorporate recent changes to state law, and 3) adding a new Board-Approved policy for naming District-owned facilities in response to a Board request. No public comments were received after proposed policy changes and additions were posted to the District's website. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

5.

With the recommendation of general counsel, Director Kelleher moved to approve a resolution to set the fees of office at an amount not-to-exceed the amount of the per diem set by the Texas Ethics Commission for members of the Texas Legislature.

Under section 49.060 of the Texas Water Code, the members of the Board of Directors of TRWD are entitled to receive fees of office for each day spent performing the duties of a Director. Sections 49.060(a) and (a-1) of the Texas Water Code, as well as TRWD Board Governance Policy 3.13, require the Board to set by resolution the fees of office at an amount not to exceed the amount of the per diem set by the Texas Ethics Commission for members of the Texas Legislature. The Board is also legally required to set a limit on the amount a Director can receive in a year, at an amount not to exceed \$7,200. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

6.

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

consent agenda. Consent agenda items include:

1) Release of retainage in the amount of \$19,730.78 to Garrett Demolition, Inc. for demolition and asbestos abatement of the South Bypass Channel - Package 1 for the Central City Flood Control Project. Funding for this item is included in the Fiscal Year 2024 Special Projects/Contingency Fund.

2) A contract in an amount not-to-exceed \$80,000 with Davis Crane Service for 110-Ton Hydraulic Crawler Crane. Funding for this item is included in Fiscal Year 2024 Revenue Fund Budget.

3) A contract in the year one amount of \$152,624 with Manual Chores for right of way grounds maintenance. This contract is for one year period with the option to renew for up to four additional one year periods, with a total potential spend of \$763,120. Funding for this item is included in Fiscal Year 2024 Revenue Fund Budget.

4) A contract in the year one amount of \$220,352 with Green World Care for right of way grounds maintenance. This contract is for one year period with the option to renew for up to four additional one year periods, with a total potential spend of \$1,101,760. Funding for this item is included in Fiscal Year 2024 Revenue Fund Budget.

5) A contract in the year one amount of \$68,517 with Lawn Patrol for central facilities grounds maintenance. This contract is for one year period with the option to renew for up to four additional one year periods, with a total potential spend of \$342,585. Funding for this item is included in Fiscal Year 2024 Revenue Fund Budget.

Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

7.

With the recommendation of management, Director Hill moved to approve an amended Discretionary Services Agreement in the amount of \$1,850,000, not-to-exceed

a total of \$2,000,000, with Oncor Electric Delivery Company LLC to prepare and submit an application for a multi-route Certificate of Convenience and Necessity to complete routing of a 138-kV electrical transmission main to the IPL Lake Palestine Pump Station. 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 Team moved to approve an amendment in an amount not-to-exceed \$192,445 for engineering services with Black & Veatch Corporation for additional survey work and the design of an additional 476 feet of pipe at the FM 664 Highway Expansion adjacent to the current 11 miles being designed as part of the Cedar Creek Section 2 Pipeline Replacement project. As part of the utility adjustments for the highway expansion project, the District and TxDOT will work together to develop a cost-sharing agreement for the design and construction associated with the replacement of the District's existing pipelines at FM 664. Funding for this item is included in the Bond Fund. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

9.

With the recommendation of management, Director Motheral moved to approve a task order in an amount not-to-exceed \$248,050 with HV Engineering to perform protective relay studies and arc flash studies for Richland-Chambers Lake Pump Station, Cedar Creek Lake Pump Station, Cedar Creek Waxahachie Booster Pump Station, and Joint Booster Pump Station No. 3, along with the Interconnect Section 2 x 12 Facility and the Midlothian Balancing Reservoir on a time and materials basis. Funding for this item is included in the Fiscal Year 2024 Revenue Fund. Director Team seconded the motion,

and the votes were 5 in favor, 0 against.

10.

With the recommendation of management, Director Team moved to approve a contract in a not-to-exceed annual amount of \$56,600 with Tarrant County Master Gardener Association for water conservation program services. The contract has up to three annual renewal options for a total potential cost not-to-exceed of \$226,400. Funding for this item is included in the Fiscal Years 2024 and 2025 Revenue Fund Budget. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

11.

With the recommendation of management, Director Hill moved to approve the following appointments to the Tax Increment Financing District (TIF) Board:

TIF District	Appointee
8 (Lancaster)	Paxton Motheral
9 (Trinity River Vision)	C.B. Team

Approval by the Board shall serve as a recommendation to the City Council of Fort Worth for final appointment by the City Council. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

12.

With the recommendation of management, Director Hill moved to approve the following as investment officers: Sandy Newby, Chief Financial Officer; Jennifer Mitchell, Finance Director; and Michael Miller, Treasury Manager. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

13.

With the recommendation of management, Director Team moved to approve and adopt the Investment Policy and Strategies dated December 12, 2023. The Public Funds

Investment Act requires the District's Board to adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and must record any changes made to either document annually. The changes in policy from the prior year included the effective date of the policy and an update to the reserve funds discussion regarding the differences in the District and the Dallas Reserve requirements. President King seconded the motion, and the votes were 4 in favor, 0 against. Director Hill was not present for the vote.

14.

- Water Resources and Planning Update presented by Rachel Ickert, Chief Water Resources Officer
- Conservation Awards and Update presented by Linda Christie, Government Affairs Director
- Public Information Update presented by Courtney Kelly, Public Information Coordinator

The Board of Directors recessed for a break from 9:56 a.m. to 10:03 a.m.

15.

The Board next held an Executive Session commencing at 10:03 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 10:53 a.m., the President reopened the meeting.

16.

With the recommendation of general counsel, Director Hill moved to approve a mediated settlement agreement in Cause No: 141-328142-21, *TRWD v. Enervest Operating, LLC, et al.*, in the 141st District Court in Tarrant County, Texas. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

17.

With the recommendation of management, Director Hill moved to approve and authorize submission of a comment letter to the Texas Commission on Environmental Quality (TCEQ) which offers the District's support to the City of Fort Worth on the City's position regarding the BAP Kennor Landfill, LLC Municipal Solid Waste Registration application filed with the TCEQ to construct and operate a Type V Municipal Solid Waste facility for recycling construction and demolition wastes at 3411 Silver Creek Road. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

18.

With the recommendation of management, Director Hill moved to approve authorization to acquire, by purchase, interests in the following described tract(s), which are necessary for the public use and purpose of construction and operation of the Cedar Creek Pipeline Rehab Project.

A permanent easement interest across a 0.689-acre tract of land situated in M. Gregg Survey, Abstract No. 1555, City of Mansfield, Tarrant County, Texas, and being a portion of Lot 3, Block 2 of Heritage Industrial Park, an addition to the City of Mansfield as recorded in Instrument No. D209282956 of the Official Public Records of Tarrant County, Texas, said Lot 3, Block 2 conveyed to Lonejack LLC as recorded in Instrument No. D218257369 of said Official Public Records of Tarrant County, Texas, and being a portion of a called 12.512 acre tract of land conveyed to Lonejack LLC as recorded in Instrument No. D222183370 of said Official Public Records of Tarrant County, Texas, and being further described in the accompanying resolution and in the survey plats attached hereto for the negotiated purchase price of \$250,000.

EXHIBIT "A"
TARRANT REGIONAL WATER DISTRICT
CEDAR CREEK SECTION 2 REPLACEMENT
PARCEL NO. 12A-PAE

PERMANENT ACCESS EASEMENT
M. GREGG SURVEY, ABSTRACT NO. 1555
CITY OF MANSFIELD
TARRANT COUNTY, TEXAS

Being a permanent access easement situated in the M. Gregg Survey, Abstract No. 1555, City of Mansfield, Tarrant County, Texas, and being a portion of Lot 3, Block 2 of Heritage Industrial Park, an addition to the City of Mansfield as recorded in Instrument No. D209282956 of the Official Public Records of Tarrant County, Texas, said Lot 3, Block 2 conveyed to Lonejack LLC as recorded in Instrument No. D218257369 of said Official Public Records of Tarrant County, Texas, and being a portion of a called 12.512 acre tract of land conveyed to Lonejack LLC as recorded in Instrument No. D222183370 of said Official Public Records of Tarrant County, Texas, said permanent access easement being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with cap stamped "RPLS 4838" found for the north corner of said Lot 3, Block 2 and for the west corner of said called 12.512 acre tract of land, said 5/8 inch iron rod with cap stamped "RPLS 4838" also being in the southeast line of Heritage Parkway (a 120.00' right-of-way), from which a Mag Nail found for the north corner of said called 12.512 acre tract of land and for the most southerly northwest corner of a tract of land conveyed to Mansfield Economic Development Corporation as recorded in Instrument No. D204166392 of said Official Public Records of Tarrant County, Texas bears North 59 degrees 07 minutes 10 seconds East, a distance of 256.76 feet; **THENCE** South 59 degrees 07 minutes 10 seconds West, with the northwest line of said Lot 3, Block 2 and with the southeast line of said Heritage Parkway, a distance of 130.75 feet to a calculated point for the **POINT OF BEGINNING**, said calculated point being the beginning of a curve to the left having a radius of 70.00 feet, a delta of 47 degrees 50 minutes 26 seconds, and whose chord bears South 87 degrees 56 minutes 29 seconds East, a chord distance of 56.76 feet, said calculated point having grid coordinates of N=6,888,290.52 and E=2,398,719.94;

THENCE Easterly, with said curve to the left, an arc distance of 58.45 feet to a calculated point for corner;

THENCE North 68 degrees 08 minutes 19 seconds East, passing at a distance of 84.18 feet to a calculated point in the northeast line of said Lot 3, Block 2 and the southwest line of said called 12.512 acre tract of land, in all, a distance of 380.13 feet to a calculated point for corner in the northeast line of said called 12.512 acre tract of land and in a southwest line of said tract of land conveyed to Mansfield Economic Development Corporation;

(Exhibit "A")

THENCE South 52 degrees 20 minutes 21 seconds East, with the northeast line of said called 12.512 acre tract of land and with a southwest line of said tract of land conveyed Mansfield Economic Development Corporation, a distance of 69.62 feet to a calculated point for corner;

THENCE South 68 degrees 08 minutes 19 seconds West, passing at a distance of 321.70 feet, a calculated point in the northeast line of said Lot 3, Block 2 and the southwest line of said called 12.512 acre tract of land, in all, a distance of 415.44 feet to a calculated point for the beginning of a curve to the right having a radius of 130.00 feet, a delta of 55 degrees 01 minutes 30 seconds, and whose chord bears North 84 degrees 20 minutes 56 seconds West, a chord distance of 120.11 feet;

THENCE Westerly, with said curve to the right, an arc distance of 124.85 feet to a calculated point for corner;

THENCE North 56 degrees 50 minutes 11 seconds West, a distance of 20.72 feet to a calculated point for corner in the northwest line of said Lot 3, Block 2 and in the southeast line of said Heritage Parkway;

THENCE North 59 degrees 07 minutes 10 seconds East, with the northwest line of said Lot 3, Block 2 and with the southeast line of said Heritage Parkway, a distance of 67.34 feet to the **POINT OF BEGINNING**, and containing 29,995 square feet or 0.689 acres of land, more or less.

(Exhibit "A")

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.

October 10, 2022



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

(Exhibit "A")

EXHIBIT "A"
PARCEL No. 12A-PAE

UNION PACIFIC RAILROAD

M. GREGG SURVEY
 ABSTRACT NO. 1555
 LOT 1, BLOCK 1
 HERITAGE
 BUSINESS PARK
 VOL 388-205, PG. 66
 P.R.T.C.T.

MANSFIELD ECONOMIC
 DEVELOPMENT CORPORATION
 INST. NO. D204166392
 O.P.R.T.C.T.

FND 5/8" IRON ROD W/CAP
 STAMPED "RPLS 4838"

P.O.C.

P.O.B.
 GRID COORDINATE
 N=6,888,290.52
 E=2,398,719.94

FND MAG NAIL

130' PIPELINE RIGHT-OF-WAY
 TARRANT COUNTY WATER
 DISTRICT AND IMPROVEMENT
 VOLUME 3796, PAGE 47
 D.R.T.C.T.

N 59°07'10"E 256.76'
 PASSING @ 84.18'

PASSING @ 321.70'

APPROXIMATE LOCATION
 MIDSTREAM GAS SERVICES, LLC
 (NO RECORDING INFORMATION)

VARIABLE WIDTH ACCESS
 & UTILITY EASEMENT
 INST. NO. D209282956
 O.P.R.T.C.T.

HERITAGE PARKWAY
 (120' RIGHT-OF-WAY)

15' SIDEWALK EASEMENT
 INST. NO. D209282956
 O.P.R.T.C.T.
 5' UTILITY EASEMENT
 INST. NO. D209282956
 O.P.R.T.C.T.

LOT 3

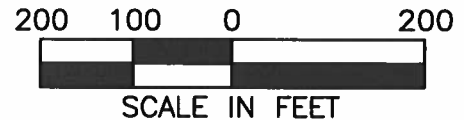
LONEJACK LLC
 INST. NO. D218257369
 O.P.R.T.C.T.

CALLED 12.512 ACRES
LONEJACK LLC
 INST. NO. D222183370
 O.P.R.T.C.T.

**BLOCK 2
 HERITAGE
 INDUSTRIAL PARK**
 INST. NO. D209282956
 O.P.R.T.C.T.

LOT 2

LONEJACK, LLC
 INST. NO. D210088116
 O.P.R.T.C.T.

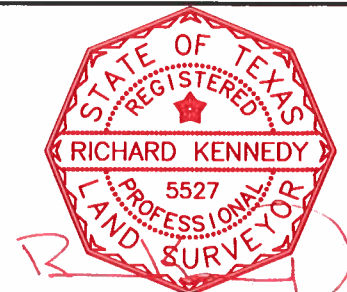


Tarrant Regional Water District

800 E. NORTHSIDE DRIVE • FORT WORTH, TEXAS 76102

**CEDAR CREEK
 SECTION 2 REPLACEMENT**

PARCEL NO. 12A-PAE	PERMANENT ACCESS EASEMENT	
OWNER: LONEJACK LLC		
SURVEY: M. GREGG SURVEY, ABSTRACT NO. 1555		
LOCATION: CITY OF MANSFIELD, TARRANT COUNTY, TEXAS		
ACQUISITION AREA: 29,995 SQUARE FEET OR 0.689 ACRES		
WHOLE PROPERTY ACREAGE: 981,135 SQUARE FEET OR 22.52 ACRES (BY DEED)		
G&A JOB NO. B&V_1901.00	DRAWN BY: BM	CAD FILE: P12A_PAE.DWG
OCTOBER 10, 2022	EXHIBIT A	SCALE: 1" = 200'



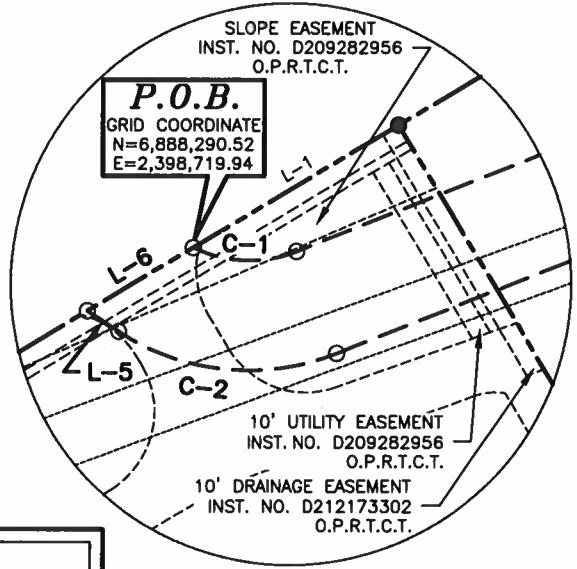
RICHARD KENNEDY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5527 TEXAS FIRM No. 10106900

EXHIBIT "A"

PARCEL No. 12A-PAE

LEGEND

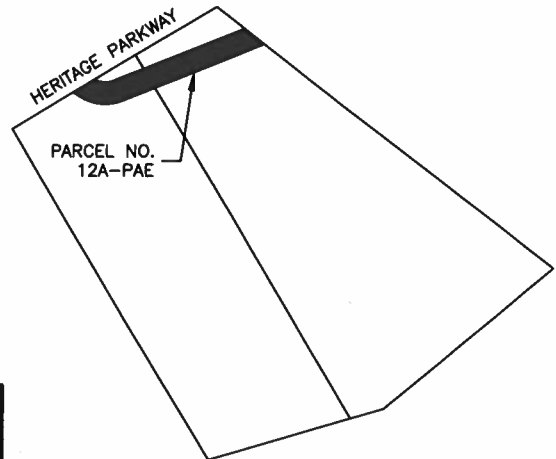
- ⊗ SET MONUMENTATION (SIZE AND TYPE NOTED)
- FND MONUMENTATION (SIZE AND TYPE NOTED)
- CALCULATED POINT
- PROPERTY/RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- ⊥— SURVEY/ABSTRACT LINE



DETAIL "A"
NOT TO SCALE

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC
C-1	70.00'	47°50'26"	S 87°56'29"E	56.76'	58.45'
C-2	130.00'	55°01'30"	S 84°20'56"E	120.11	124.85'

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 59°07'10"W	130.75'
L-2	N 68°08'19"E	380.13'
L-3	S 52°20'21"E	69.62'
L-4	S 68°08'19"W	415.44'
L-5	N 56°50'11"W	20.72'
L-6	N 59°07'10"E	67.34'



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.

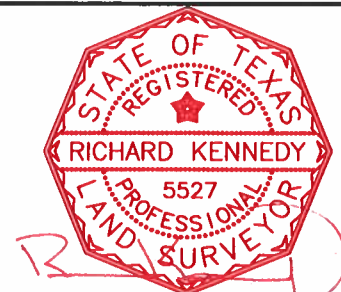


Tarrant Regional Water District

800 E. NORTHSIDE DRIVE • FORT WORTH, TEXAS 76102

CEDAR CREEK SECTION 2 REPLACEMENT

PARCEL NO. 12A-PAE	PERMANENT ACCESS EASEMENT
OWNER: LONEJACK LLC	
SURVEY: M. GREGG SURVEY, ABSTRACT NO. 1555	
LOCATION: CITY OF MANSFIELD, TARRANT COUNTY, TEXAS	
ACQUISITION AREA: 29,995 SQUARE FEET OR 0.689 ACRES	
WHOLE PROPERTY ACREAGE: 981,135 SQUARE FEET OR 22.52 ACRES (BY DEED)	
G&A JOB NO. B&V_1901.00	DRAWN BY: BM
OCTOBER 10, 2022	EXHIBIT A
CAD FILE: P12A_PAE.DWG	SCALE: 1" = 200'



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

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 5 in favor, 0 against.

19.

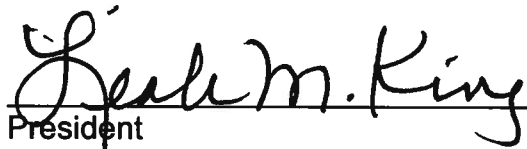
There were no future agenda items approved.

20.

The next board meeting was scheduled for January 16, 2024, at 9:00 a.m.

21.

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



President



Secretary