

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 19th DAY OF NOVEMBER 2024 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, Darrell Beason, Airin Barnett, Kate Beck, Lisa Cabrera, Steve Christian, Linda Christie, Ellie Garcia, Jason Gehrig, Zach Hatton, Natasha Hill, Zach Huff, Rachel Ickert, Courtney Kelly, Laramie LaRue, Chad Lorance, Mick Maguire, Sandy Newby, Matt Oliver, and Stephen Tatum 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 requests from the public to address the Board of Directors during the Public Comment portion of the agenda.

3.

Director Hill moved to approve the minutes from the meetings held on October 15, 2024. 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 Hill moved to approve the consent agenda. Consent agenda items include:

1) Change in calculation of retainage being held to 5% of the contract price with BAR Constructors, Inc. for Integrated Pipeline Lake Palestine Pump Station Intake and Wetwell Project. The total current contract price is \$54,022,596.53 with retainage to be held at 5% of the contract price in the amount of \$2,701,129.83. BAR Constructors reached the 50% complete stage of the contract in October. All remaining contract payments are to be made in full. However, any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule. 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 Bond Fund.

2) Purchase from Northwest Pipe Company in the amount of \$624,950 for Replacement and Inventory Pipe Segments for the Richland-Chambers and Cedar Creek Pipelines. A total of 21 segments are included in this purchase. Three (3) segments of 90" will be placed in inventory for unplanned repairs and the remaining 18 segments will replace damaged segments on the 72" Cedar Creek Pipeline during fiscal year 2026. The damaged segments are located between the Kennedale Balancing Reservoir and the Waxahachie pump station. Funding for this item is included in the Fiscal Year 2025 Revenue Fund.

3) Extension of Professional Services Agreement with Willis Towers Watson Insurance Services West, Inc. by 36 months in the amount of \$415,620 for Rolling Owner

Controlled Insurance Program (ROCIP) Broker Administrator Services Contract to address the potential gap in the ROCIP administration. ROCIP Broker Administrator services are contracted to Willis Towers Watson Insurance Services West, Inc. through January 21, 2025, with bound insurance coverage through the ROCIP with insurance carriers through July 21, 2027. This allows the administration of the ROCIP to extend beyond the contract and complete the closeout process for this program, which is anticipated to occur no later than January 21, 2028. Funding for this item is included in the Fiscal Year 2025 General Fund.

4) Contract in the amount of \$96,000 for the first year with Thompson Safety for first-aid and emergency safety equipment inspection and replacement. This contract centralizes services for first-aid cabinets, AEDs, fire extinguishers, sharp containers, and eyewash stations across the District under one vendor to improve tracking and maintenance practices. This contract term is for one (1) year with an option to renew annually for a period of four (4) years after the initial agreement. Funding for this item is included in the Fiscal Year 2025 General Fund.

5) Contract with Berkshire Hathaway to provide stop loss coverage for health insurance. The District pays actual health insurance claims cost, per member, up to \$110,000 per member. The District utilizes fully-insured stop loss coverage for claims greater than \$110,000 per member. The rates per employee/per month are: Employee \$175.28; Employee + Family \$452.35. The annual cost to the District fluctuates as the number of employees fluctuates throughout the year. The estimated annual cost to the District for stop loss coverage and administration is \$1,510,522. Funding for this item is included in the Fiscal Year 2025 General Fund.

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

5.

With the recommendation of management, Director Hill moved to approve a change order in the amount of \$213,525.53 with Traylor Sundt Joint Venture for an increase in Allowance Item A-7 - Base Project Tunnel Boring Machine Interventions of the Integrated Pipeline Project. The contract amount is \$221,480,570.33 and the revised not-to-exceed contract amount, including this change order, is \$221,694,095.86. 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 Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

6.

With the recommendation of management, Director Team moved to approve a contract amendment in an amount not-to-exceed \$1,380,503 with Freese and Nichols, Inc. for additional professional services required to complete the next phase of construction of the Aquifer Storage and Recovery Demonstration Well - Phase 2 Surface Facilities. The current contract value is \$1,661,999. The total amount of this amendment brings the revised contract value to \$3,042,502. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

7.

With the recommendation of management, Director Kelleher moved to approve change order 2 in the amount of \$940,150 with Hydro Resources Mid-Continent, Inc. for

procurement and installation of pump and motor assemblies for the Aquifer Storage and Recovery (ASR) and monitoring well as part of the ASR Well Demonstration Study - Well Drilling Project. The current contract value is \$3,354,568. The total amount of this change order brings the revised contract value to \$4,294,718. Funding for this item is included in the Bond Fund. Director Hill seconded the motion, and the votes were 5 in favor, 0 against.

8.

With the recommendation of management, Director Hill moved to approve an annual service contract in an amount not-to-exceed \$33,000 annually with an option to renew for four (4) additional one-year periods with Kelm Engineering for vibration analysis support services. Funding for this item is included in the Fiscal Year 2025 Revenue Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

9.

With the recommendation of management, Director Kelleher moved to approve a change order in the amount of \$358,477.38 with BAR Constructors, Inc. for the Kennedale Balancing Reservoir Yard Piping, Inlet and Outlet Modification Project. The current contract price is \$40,658,304.27, and the revised contract price, including this change order, will be \$41,016,781.65. In addition, the General Manager or his designee is granted authority to execute all documents associated with this change order. Funding for this item is included in the Bond Fund. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

10.

With the recommendation of management, Director Motheral moved to approve

amendments to the participation agreements with the City of Fort Worth for Tax Increment Financing (TIF) Districts 3 and 8 to reflect i) continued participation through their extended terms, ending December 31, 2044, ii) amended Project and Financing Plans, and iii) a reduction in Tarrant Regional Water District's participation rate to be 35% for both TIF 3 and TIF 8. Funding for this item is included in the Fiscal Year 2025 General Fund Budget. 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 the following appointments to the Tax Increment Financing (TIF) District Boards effective January 1, 2025:

<u>TIF District</u>	<u>Appointee</u>
3 Downtown	Leah King
6 Riverfront	Dan Buhman
12 East Berry Renaissance	Dan Buhman
13 Woodhaven	Dan Buhman
14 Trinity Lakes	Dan Buhman
15 Stockyards	Leah King

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

12.

Presentations

- Water Resources and Planning - Rachel Ickert, Chief Water Resources Officer
- Creation of Public Improvement District for Panther Island - Kate Beck, Central City Flood Control Program Director
- TRWD Centennial Proclamations - Dan Buhman, General Manager

- Communications and Community Outreach Department Award - Mick Maguire, Chief Administrative Officer

The Board of Directors recessed for a break from 9:49 a.m. to 10:11 a.m.

13.

The Board next held an Executive Session commencing at 10:11 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 related to Cedar Creek Wetlands; and Section 551.074 of the Texas Government Code, Regarding Personnel Matters Related to the Annual General Manager Performance Review.

Upon completion of the executive session at 10:44 a.m., the President reopened the meeting.

14.

Thompson & Horton, LLC, engaged by the Board of Directors in September of 2024, completed the annual performance evaluation of the General Manager, Dan Buhman, in accordance with section 4.4 of the Board Governance Policy. Director Hill moved to approve a 4% annual pay raise for Dan Buhman effective November 4, 2024, for the remainder of 2024 and 2025. Funding for this item is included in the Fiscal Year 2025 General Fund. President King seconded the motion, and the votes were 5 in favor, 0 against.

15.

With the recommendation of management, Director Hill moved to approve authorization to acquire interests in the following described land, which is necessary for the public use and purpose of construction and operation of the Cedar Creek Wetland Project.

In addition, the General Manager of the District or his designee is authorized to take all steps which may be reasonably necessary to complete the acquisition of the real property interests described below, including, but not limited to, the authority to pay all customary, reasonable and necessary closing and related costs.

Fee simple title to the surface estate only, including any improvements located thereon, of approximately an 0.2723-acre tract of land located in the John Baker Survey, Abstract No. 17, Kaufman County, Texas, said 0.27230-acre tract of land being a portion of a called 49.893-acre tract of land conveyed to Charles G. Nemec, III and Katherine A. Nemec, Trustees of the Nemec Living Trust, by deed thereof filed for record in Volume 3914, Page 17, Official Public Records, Kaufman County, Texas, and being further described in the accompanying resolution and in the survey plat and metes and bounds description attached hereto for the negotiated value of \$13,000.

EXHIBIT "A"

**FEE SIMPLE PURCHASE
JOHN BAKER SURVEY, ABSTRACT NO. 17
KAUFMAN COUNTY, TEXAS**

BEING a 0.2723 acre tract of land located in the John Baker Survey, Abstract No. 17, Kaufman County, Texas, said 0.2723 acre tract of land being a portion of a called 49.893 acre tract of land conveyed to **CHARLES G. NEMEC, III** and **KATHERINE A. NEMEC, TRUSTEES OF THE NEMEC LIVING TRUST**, by deed thereof filed for record in Volume 3914, Page 17, Official Public Records, Kaufman County, Texas (O.P.R.K.C.T.), said 0.2723 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with a cap stamped "SPOONER 5922" set (hereinafter referred to as iron rod set) on the south property line of the said 49.893 acre tract of land, same being the north property line of that certain tract of land conveyed to Francine Harper, by deed thereof filed for record in Kaufman County Clerk's Instrument Number (Ins. No.) 2022-0042711, O.P.R.K.C.T., from said beginning point a 3/4" iron pipe found at the southwest property corner of the 49.893 acre tract, bears South 89°52'15" West, 406.24 feet, said beginning point also having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,825,437.73 and E: 2,667,977.60;

THENCE over and across the said 49.893 acre tract the following courses and distances:

North 54°17'26" East, 97.86 feet to an iron rod set;

North 90°00'00" East, 129.35 feet to an iron rod set;

North 39°52'25" East, 45.77 feet to an iron rod set on the east property line of the said 49.893 acre tract, same being the west property line of that certain tract of land conveyed to Sharron R. Rankin, by deed thereof filed for record in Ins. No. 2022-0036358, O.P.R.K.C.T., from said point a 1/2" iron rod found at the northeast property corner of the said 49.893 acre tract, bears North 01°01'23" West, 2,506.28 feet;

THENCE South 01°01'23" East, along the said property lines, 91.72 feet to an iron rod set on the southeast property corner of the said 49.893 acre tract, same being the northeast property corner of the said Harper tract;

THENCE South 89°52'15" West, along the said south property line of the 49.893 acre tract and along the said north property line of the Harper tract, 239.79 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **0.2723 acres (11,860 square feet)** of land, more or less.

The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All areas shown hereon are calculated based on surface measurements.

I Eric S. Spooner, a Registered Professional Land Surveyor in the State of Texas, do hereby state that the foregoing description accurately sets out the metes and bounds description of the easement tract described herein.

Eric S. Spooner, RPLS
Spooners & Associates, Inc.
Texas Registration No. 5922
TBPLS Firm No. 10054900



MAP OF EXHIBIT "A"

SEE ATTACHED METES & BOUNDS DESCRIPTION ON PAGE 1 HEREIN

LINE TABLE		
NO.	DIRECTION	DIST.
L1	N54°17'26"E	97.86'
L2	N90°00'00"E	129.35'
L3	N39°52'25"E	45.77'
L4	S01°01'23"E	91.72'

JOHN BAKER SURVEY
ABSTRACT NO. 17

CALLED: 49.893 ACRES
CHARLES G. NEMEC, III
and **KATHERINE A. NEMEC,**
TRUSTEES OF THE
NEMEC LIVING TRUST
VOL. 3914, PG. 17,
O.P.R.K.C.T.

EXHIBIT "A"
FEE SIMPLE PURCHASE
0.2723 ACRES (11,860 SQ. FT.)

3/4" IRON PIPE FOUND AT
THE SOUTHWEST PROPERTY
CORNER OF 49.893 ACRE TRACT
BEARS S89°52'15"W ~ 406.24'

PROPERTY LINE

C.R. 4042

S89°52'15"W ~ 239.79'

POINT OF BEGINNING

NAD83 ~ GRID
N:6,825,437.73
E:2,667,977.60

40' PRESCRIPTIVE EASEMENT/ROW
KAUFMAN COUNTY
PER TOMMY MOORE
KAUFMAN COUNTY COMMISSIONER

OWNER
FRANCINE HARPER
K.C.C.I. NO. 2022-0042711,
O.P.R.K.C.T.

1/2" IRON ROD FOUND AT
THE NORTHEAST PROPERTY
CORNER OF 49.893 ACRE TRACT
BEARS N01°01'23"W ~ 2,506.28'

PROPERTY LINE

EX. ELECTRIC EASEMENT & R.O.W.
TARRANT REGIONAL WATER DISTRICT
K.C.C.I. NO. 2019-0031964,
O.P.R.K.C.T.

OWNER
SHARRON R. RANKIN
K.C.C.I. NO. 2022-0036358,
O.P.R.K.C.T.

EX. ACCESS EASEMENT & R.O.W.
TARRANT REGIONAL WATER DISTRICT
K.C.C.I. NO. 2019-0031963,
O.P.R.K.C.T.

PROPERTY LINE

PROPERTY LINE

C.R. 4042

0 40' 80'

GRAPHIC SCALE IN FEET
1" = 80'

NOTE: The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All areas shown hereon are calculated based on surface measurements.

Ⓢ - 5/8" IRON ROD WITH CAP STAMPED "SPOONER 5922".

FEE SIMPLE PURCHASE
JOHN BAKER SURVEY, ABS. NO. 17
KAUFMAN COUNTY, TEXAS



SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE

309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900



10-30-24

PROPERTY: NEMEC LIVING TRUST, VOL. 3914, PG. 17, O.P.R.K.C.T.
WHOLE PROPERTY ACREAGE: CALLED 49.893 ACRES (DEED)
09-086-7 TRWD Cedar Creek Fee Simple.dwg

S&A JOB NO.: 09-086-7
DATE: 10/29/2024

DRAWN BY: R. HENDERSON
CHECKED BY: E. SPOONER

NEMEC LIVING TRUST ~ EXHIBIT "A" ~ PAGE 2 OF 2

Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

16.


There were no future agenda items approved.

17.

The next board meeting was scheduled for December 17, 2024.

18.

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



President



Secretary