

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT REGIONAL WATER DISTRICT  
HELD ON THE 13<sup>th</sup> DAY OF DECEMBER 2022 AT 9:00 A.M.

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

Present  
Leah King  
James Hill  
Mary Kelleher

(Director Leonard was not present at the call of the roll but joined the meeting at 9:33 a.m.)

Also present were Dan Buhman, Alan Thomas, Darrel Andrews, Darrell Beason, Frank Beaty, Travis Bird, Linda Christie, Woody Frossard, Ellie Garcia, David Geary, Jason Gehrig, Natasha Hill, Zachary Huff, Rachel Ickert, Courtney Kelly, Mick Maguire, Sandy Newby, Rick Odom, Stephen Tatum, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

After a brief delay due to inclement weather, President King convened the meeting at 9:13 a.m. with assurance from management that all requirements of the Texas Open Meetings Act 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 J.D. Peet, who spoke regarding item 17 - appointment to fill midterm Board vacancy, request/petition to select candidates willing to abstain from running in the upcoming general election to Board. Public comment was received from Doreen Geiger who spoke regarding the interim appointment to Board.

Public comment was received from Lon Burnam regarding the interim appointment to Board.

4.

Director Hill moved to approve the minutes from the meeting held on November 15, 2022. Director Kelleher seconded the motion, and the votes were 3 in favor, 0 against. It was accordingly ordered that these minutes be placed in the permanent files of the District.

5.

With the recommendation of management, Director Hill moved to approve the Investment Policy and Strategies dated December 13, 2022. The only change in policy from the prior year is the effective date. Director Kelleher seconded the motion, and the votes were 3 in favor, 0 against.

6.

With the recommendation of management, Director Hill moved to approve a contract with Plains Capital to serve as a second depository service provider for the District. Funding for this item is included in the Fiscal Year 2023 General Fund Budget. Director Kelleher seconded the motion, and the votes were 3 in favor, 0 against.

7.

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

<b>TIF District</b>	<b>Appointee(s)</b>
3 (Downtown)	Leah King
6 (Riverfront)	Linda Christie
8 (Lancaster)	Marty Leonard
9 (Trinity River Vision)	Linda Christie
10 (Lone Star)	Linda Christie
12 (East Berry Renaissance)	Linda Christie

13 (Woodhaven)  
14 (Trinity Lakes)  
15 (Stockyards)

Linda Christie  
Linda Christie  
Leah King

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 3 in favor, 0 against.

8.

With the recommendation of management, Director Kelleher moved to approve a contract in the amount of \$145,000 with Accenture LLP to complete an Enterprise Resource Planning (ERP) assessment. The District's main ERP software, used to support the HR and Finance functions, will reach the end of mainstream support in April 2024, requiring a migration to another ERP platform. Funding for this item is included in the Fiscal Year 2023 General Fund Budget. Director Hill seconded the motion, and the votes were 3 in favor, 0 against.

9.

With the recommendation of management, Director Kelleher moved to approve a contract in an amount not-to-exceed \$74,425 with Freese and Nichols, Inc. for operation and maintenance support of the Groundwater Treatment System at the former Luminant site. The District will be reimbursed annually for this expense by Texas Commission on Environmental Quality. Funding for this item is included in the Fiscal Year 2023 General Fund Budget. Director Hill seconded the motion, and the votes were 3 in favor, 0 against.

10.

(Director Leonard arrived and was present for the vote on this and all remaining items). With the recommendation of management, Director Leonard moved to approve a

contract in an amount not-to-exceed \$10,001,932 with HDR, Inc. for engineering services for Pipeline Design for the Cedar Creek Wetlands Project. These engineering services include preliminary design investigations, final design plans, specifications for the pipelines, balancing reservoir, energy dissipation structure, and outlet structure, and bid and construction phase services. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 4 in favor, 0 against.

2 (continuation of Public Comment).

Public comment was received from Brenda Helmer (who had arrived late due to inclement weather) regarding the interim appointment to Board.

11.

With the recommendation of management, Director Leonard moved to approve the second amendment to the Handley Generating Station 1971 Contract in the annual amount of \$529,773 with Constellation Handley Power, LLC. The Second Amendment will revise the payment terms to reflect the revised annual Fixed Payment Base Fee of \$529,773, which is a reduction from the previous Fixed Payment Base Fee of \$631,431. Director Kelleher seconded the motion, and the votes were 4 in favor, 0 against.

12.

With the recommendation of management, Director Kelleher moved to approve a contract in the amount of \$119,776 with Plummer Associates, Inc. for consulting services for CE-QUAL-W2 Reservoir Model Development for Eagle Mountain Lake. Funding for this item is included in the Fiscal Year 2023 Revenue Fund Budget. Director Leonard seconded the motion, and the votes were 4 in favor, 0 against.

13.

With the recommendation of management, Director Leonard moved to approve a

purchase in the amount of \$477,445.71 from Thompson Group for 90” E-301 pipe to replace 15 damaged pipe segments of the Richland-Chambers Pipeline. Funding for this item is included in the Fiscal Year 2023 Revenue Fund Budget. Director Kelleher seconded the motion, and the votes were 4 in favor, 0 against.

14.

With the recommendation of management, Director Kelleher moved to approve an annual contract in the amount of \$32,700 for the first 10-month period and \$39,240 for four (4) additional one-year periods with United Site Services for the rental and service of portable restrooms in nine different trailhead locations across the Fort Worth Trinity Trails, Marine Lake and Eagle Mountain Lake. Funding for this item is included in the Fiscal Year 2023 Revenue Fund Budget. Director Leonard seconded the motion, and the votes were 4 in favor, 0 against.

3.

The Board of Directors presented a resolution honoring Board Director James Warren “Jim” Lane to Janet Lane. Director Hill moved to approve the resolution, Director Kelleher seconded the motion and the votes were 4 in favor, 0 against.

15.

#### Staff Updates

- Excellence in Financial Reporting Award Presentation provided by Sandy Newby, Chief Financial Officer
- Transparency Star Update provided by Sandy Newby, Chief Financial Officer
- Exflow Permit Update provided by Woody Frossard, Environmental Director
- Water Resources Update provided by Rachel Ickert, Chief Water Resources Officer

The Board of Directors recessed for a break from 10:14 a.m. to 10:18 a.m.

16.

The Board next held an Executive Session commencing at 10:18 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 to Discuss Pending or Contemplated Litigation, including discussion of legal aspects of Board vacancy; and Section 551.074 of the Texas Government Code Regarding Personnel Matters related to Board vacancy.

Upon completion of the executive session at 11:13 a.m., the President reopened the meeting.

17.

The Board held a discussion about the process for filling a mid-term vacancy on the TRWD Board of Directors as provided under Texas law. The Board proposed a process of filling the vacancy by utilizing the results of the 2021 election to identify candidates who would be willing and able to serve given their prior interest in filling a seat on the Board. President King moved to approve this process, Director Kelleher seconded the motion and the vote was 4 in favor, 0 against.

18.

With the recommendation of management, President King moved to elect Director Kelleher as Secretary of the Board to fill officer vacancy created by the passing of Director Jim Lane. Director Hill seconded the motion, and the votes were 3 in favor, 0 against. Director Kelleher recused herself from the vote.

19.


The Board requested management draft policy on Board mid-term vacancies to be incorporated into the Board Governance Policies. This draft will be discussed at the regularly scheduled January 2023 Board meeting and voted upon at the regularly scheduled February 2023 meeting.

20.

The next board meeting was scheduled for January 17, 2023 at 9:00 a.m.

21.

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

  
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President

  
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Secretary