

**MINUTES OF A MEETING OF THE DIRECTORS
OF
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 6
HELD ON**

October 13, 2020

- A. The meeting was called to order by Joshua W. Allen, Sr., President.
- B. The following Directors were present:

Joshua W. Allen, Sr.	President
Charles "Chuck" Guillory	Secretary
Bernie Daleo	Director
Tony Malley	Director
Chuck Kiker	Director

Directors Absent: Mr. Guillory attended via Zoom, but due to technical issues on his end, the connection was lost before the beginning the Business Session of the meeting.

Staff present:

Doug Canant, PE, RPLS, CFM	District Engineer
Harold "Ernie" Crochet	Project Engineer Assistant
J. Thad Heartfield	District's Lead Legal Counsel
Steve Hubert	Shop Supervisor
Jason Jones	Assistant Superintendent
Paula Karasek	Administrative Assistant
Dr. Joseph G. Majdalani, PE, CFM	General Manager
Chace Mann	Project Manager
John Murff	Project Manager
Nelson Nixon	Superintendent
Chuck Oakley, CPA	Chief Financial Officer
Karen J. Stewart, MBA, CTP	Business Manager
Wallace "Butch" Wilson, PE	Senior Engineer

Visitors: Kaitlin Bain – *Beaumont Enterprise*
Sharon Brooks – *Examiner*

- C. Pledge of Allegiance was led by Mr. Allen.
- D. Invocation was given by Mr. Nixon.
- E. Workshop Session.
1. The District's Engineer, Doug Canant, gave a presentation on the District's Grant and Capital Projects.
 2. Project Manager, Nelson Nixon, gave a presentation to the Board regarding the Maintenance Program.
 3. There was no discussion of easements, street abandonments, and plat reviews.
 4. There was no discussion or reports on various drainage plans and projects.
- F. Public Comments.
- The Public was given an opportunity to address the Jefferson County Drainage District No. 6 Board of Directors on agenda items or concerns not on the agenda. There were no Public comments. –
- G. The minutes of September 29, 2020 were approved on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

H. Business session:

1. A resolution authorizing the payment of routine bills received since September 29, 2020, that were not expressly authorized or denied for payment elsewhere on this agenda was adopted on a motion made by Mr. Malley, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
2. The Board acknowledge the receipt and filing of Jefferson County Drainage District No. 6's Investment Schedule for September 30, 2020, pursuant to Section 2256.023 of the Public Funds Investment Act, on a motion made by Mr. Malley, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
3. The Board approved Jefferson County's Certified Roll Jurisdiction Summary of the tax roll for Tax Year 2020, pursuant to the Texas Property Tax Code, Section 26.09 on a motion made by Mr. Daleo, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
4. The Board approved Chambers County's Certified Roll Jurisdiction Summary of the tax roll for Tax Year 2020, pursuant to the Texas Property Tax Code, Section 26.09, on a motion made by Mr. Daleo, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
5. Jefferson County's Holiday Schedule for the Year 2021 was adopted on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
6. The President of the Board of Directors was authorized to execute an amendment to the "Flood Protection Grant Contract" between the Texas Water Development Board (TWDB) and Jefferson County Drainage District No. 6; TWDB Contract No. 1800012311, amending the contract to reflect an extension of the Project Completion date from February 28, 2021 to September 30, 2021 and an Expiration of Funds date from June 20, 2021 to March 30, 2022; with all other contract terms remaining the same on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
7. The Board authorized the submittal of a CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds) for \$97,985,530 of grant funds for the Tevis Diversion Project, which will be administered by the Texas General Land Office (TGLO), with a local match not to exceed 1% of the total grant award, on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
8. The submittal of a CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds) for \$99,745,950 of grant funds for the Blanchette Diversion Project, which will be administered by the Texas General Land Office (TGLO), with a local match not to exceed 1% of the total grant award, was authorized on a motion made by Mr. Malley, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
9. The submittal of a joint CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds) with the County of Jefferson for \$64,040,000 of grant funds for the Bayou Din Detention Project, which will be administered by the Texas General Land Office (TGLO), with a local match not to exceed 1% of the total grant award, was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.

10. In connection with the Bayou Din Detention Project, the execution of an "Inter-Governmental Agreement" (on file in the District's records) between the County of Jefferson and Jefferson County Drainage District No. 6 in connection with a joint CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds), administered by the Texas General Land Office, that will provide for a detention basin project on Bayou Din, as well as channel improvements on associated tributaries, was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
11. The submittal of a joint CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds) with the City of Beaumont for \$49,380,000 of grant funds for the Tyrrell Park Detention II Project, which will be administered by the Texas General Land Office (TGLO), with a local match not to exceed 1% of the total grant award, was authorized on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
12. In connection with the Tyrrell Park Detention II Project Application, the execution of an "Inter-Governmental Agreement" (on file in the District's records) between the City of Beaumont and Jefferson County Drainage District No. 6, in connection with a joint CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds) administered by the Texas General Land Office, which will provide for a detention basin on Hillebrandt Bayou, was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
13. In connection with the South Park Diversion Project consider the execution of an "Inter-Governmental Agreement" (on file in the District's records) between the City of Beaumont and Jefferson County Drainage District No. 6, in connection with a joint CDBG-Mitigation Program Grant application (CDBG Hurricane Harvey State Mitigation Competition funds) administered by the Texas General Land Office, which will provide for diversion culverts and associated lateral, was authorized on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
14. The Board acknowledged receipt of the executed "General Warranty Deed" and payment to Helen Hicks and Tamir Uqdah in the amount of \$20,000 for a General Warranty Deed conveying of a 0.342-acre tract of land out of the J.W. Bullock Survey, Abstract 7, Beaumont, Jefferson County, Texas to Jefferson County Drainage District No. 6, in connection with Fleetwood Detention Project on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
15. A "Drainage Easement" donated by Felipe Cavazos and Manuel Cavazos, consisting of the actual width of Ditch Nos. 101 and 101-XA2, including improvements, plus 25 feet on each side of the ditch tops that lie on their property located in William Carr Survey, Abstract 102, Jefferson County, Texas was accepted by the Board on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
16. In connection with Ditch No. 123-D, the execution of a "Temporary Work Agreement" received from Ricardo and Miriam Anawate of 3555 Dante Lane, Beaumont, Texas, granting their contractor, JLC Pools, LLC, permission to access the District's right-of-way for the purpose of installing a swimming pool was authorized on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

17. In connection with Ditch No. 600, the execution of a "Road Easement Agreement" received from Cypress Interstate Pipeline, LLC (Kinder Morgan) providing for their use of the District's road (Deer Camp Road) located at the Green Pond Detention Basin to perform maintenance and integrity checks on their line(s); and an annual usage fee of \$5,000 for the first five years, with a 15% escalation thereafter, was authorized on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
18. Specifications for Railroad Tanker Cars Used for Culverts for Jefferson County Drainage District No. 6 (IFB 20-031/KJS) were approved; and the advertising for bids and an administrative opening were authorized on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
19. Specifications for Cellular Concrete Mats for White's Ranch Outfall and Green Pond Detention Basin Spillway (IFB 20-032/KJS) were approve, and the advertising for bids and an administrative opening was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
20. Specifications for Publication of Legal Notices for Jefferson County Drainage District No. 6 (IFB 20-033/KJS) were approved and the advertising for bids and an administrative opening were authorized on a motion made by Mr. Kiker, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
21. The execution of an Application and Agreement for Pipeline/Utility Permit No. 2020-PL-4 submitted by S & S Operating Company granting them permission to cross Ditch No. 506-C (southwest of the intersection of Willis Rd. and League Rd.) with one 3-inch, poly saltwater line was authorized, and a fee for this crossing in the amount of \$1,000.00 was also authorized on a motion made by Mr. Kiker, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
22. At 11:37 a.m. the President called for an Executive Session (closed to public) under Title 5, Subchapter D, of the Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.082, 551.083, 551.084 and/or 551.087 to deliberate on the following:

Sections 551.071 and 55.072 – To discuss potential litigation and deliberation regarding real property:

 - a. Ditch Nos. 400 and 407 situated in the Manuel Chirino Survey, Abstract 10, Jefferson County, Texas, being those certain tracts currently owned by Matthews Company.
23. The Board reconvened in open session at 12:12 p.m. and took the following action:

On a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—3; nays—none; abstained—1 (Mr. Kiker), the Board authorized the General Manager and Legal Counsel to enter into negotiations with Matthews Company and if unsuccessful, authorized the District's legal counsel to move forward with condemnation proceedings.

24. Board Comments, no action items.

Mr. Malley thanked the staff for their excellent work on the two presentations. He stated that the presentations were "well presented, outstanding, very enlightening, and educational."

Mr. Heartfield and Mr. Allen discussed filling the vacant Vice President position for the remainder of the 2017-2021 term, and Mr. Allen requested that an item be placed on the next agenda for the election of a new Vice President.

Mr. Heartfield also discussed the possibility of appointing a fill-in Secretary for when the acting Secretary is unable to attend a meeting, but the Board was not in favor of adding the new position at this time.

- I. There was no other business and Mr. Allen called for the adjournment of the meeting.



Secretary/Asst. Secretary