

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

April 13, 2021

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	Vice President
Tony Malley	Director
Chuck Kiker	Director

Directors Absent: All five Directors were present for the meeting but Mr. Guillory had to leave the meeting before all the business items were voted on.

Staff present:

Shelby Clodfelter	Office Clerk
Harold "Ernie" Crochet	Project Engineer Assistant
J. Thad Heartfield	District's Lead Legal Counsel
Jason Jones	Superintendent
Paula Karasek	Executive Assistant
Dr. Joseph G. Majdalani, PE, CFM	General Manager
Chace Mann	Project Manager
Chuck Oakley, CPA	Chief Financial Officer
Karen J. Stewart, MBA, CTP	Chief Business Officer

Visitors: Honorable Jeff Branick, Jefferson County Judge
Antoinette Hardy – Hardy Contractors
Tracey Calhoun, Contract Land Staff / ExxonMobil

C. Pledge of Allegiance was led by Mr. Allen.

D. Invocation was given by Mr. Oakley.

At this point in the meeting Mr. Allen turned the floor over to Judge Branick to swear in the Board of Directors for the 2021-2025 term, so that the Judge could attend a meeting at Commissioner's Court.

H. Business Session Items 1 and 2:

1. The Honorable Jeff Branick, County Judge of Jefferson County, Texas performed the official swearing-in of the Directors noted below, who were reappointed to the Jefferson County Drainage District No. 6 Board of Directors for the 2021-2025 term.

Joshua W. Allen, Sr.
Chuck "Charles" Guillory
Bernie Daleo
Anthony "Tony" Malley, III
Charles "Chuck" Kiker, III

2. On a motion made by Mr. Kiker, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none, the following officers were elected for the 2021-2025 term:

Joshua W. Allen, Sr. - President
Bernie Daleo – Vice President
Chuck "Charles" Guillory - Secretary

The meeting picked back up with the Workshop Session

- E. Workshop Session
 - 1. Presentation of Drainage District No. 6’s Updated Website scheduled to launch on May 1, 2021 given by Karen Stewart and Ernie Crochet.
 - 2. There were no easements, street abandonments, and plat reviews to discuss.
 - 3. No comments or reports on various drainage plans and projects.
- F. Public Comments (3 minutes each) – An opportunity for the public to address the Jefferson County Drainage District No. 6 Board of Directors on agenda items or concerns not on the agenda. There were No Comments.
- G. The minutes of March 9, 2021 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 continued:
 - 3. The payment of routine bills received since March 9, 2021, that were not expressly authorized or denied for payment elsewhere on this agenda was authorized on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
 - 4. The Board acknowledged the receipt and filing of Jefferson County Drainage District No. 6’s Investment Schedule for March 31, 2021, pursuant to Section 2256.023 of the Public Funds Investment Act, on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
 - 5. The execution of a request for the release and substitution of the pledged securities noted below, as requested by Wells Fargo Bank, was ratified on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none:

RELEASE:		
<u>Description</u>	<u>Par Amount</u>	<u>Cusip #</u>
FNBP	\$40,344,897	3140KFPK5
SUBSTITUTE:		
<u>Description</u>	<u>Par Amount</u>	<u>Cusip #</u>
FNMA	\$73,370,000	31418DHK1


- 6. The Board ratified Jefferson County Commissioners’ Court’s March 23, 2021 approval of the waiver of penalty and interest on the accounts noted below, according to Sec. 33.011 (a)(2) of the Property Tax Code, as requested by the County Tax Assessor-Collector, on a motion made by Mr. Guillory, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none:

<u>Taxpayer’s Name</u>	<u>Total Levy Paid</u>	<u>Waiver of P&I</u>
<u>Account Number</u>		<u>Request</u>
Del Rio Properties LLC	\$2,188.38	\$153.19
032700-000/000200-00000		
Amacate Tortilla Bar	\$677.68	\$47.44
700000-000/015109-00000		
Qualawash Holdings LLC	\$1,301.07	\$91.07
700000-000/494456-00000		
Qualawash Holdings LLC	\$149.84	\$10.49
700000-000/494456-00001		
Irving E. Delatorre & Maranda Delatore	\$265.26	\$18.57
056450-000/000400-00000		
Clarissa Provost	\$37.38	\$2.61


Camryn Dennings 045250-000/004100-00000		
Clarissa Provost	\$154.37	\$10.80
Nathan Clover 042500-000/002200-00000		
Nathan Clover	\$16.47	\$1.15
06450-000/026700-00000		
Nathan Clover	\$17.44	\$1.23
06450-000/027100-00000		
Clarissa Provost	\$48.71	\$3.42
06451-000/000800-00000		
Clarissa Provost	\$65.00	\$4.55
06450-000/005400-00000		
TOTALS	\$4,921.60	\$344.52

7. In connection with the Drainage District No. 6’s Needmore Diversion Channel Rock Breakwater Project, the execution of the 5-year license agreement described below, received from the Corps of Engineers, concerning the operation and maintenance of rock breakwater over, across, in, and upon lands of the United States (Tract 197) was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none:
- Department of the Army License:
*Gulf Intracoastal Waterway: Sabine River to Galveston Bay,
Jefferson County, Texas*
License No. DACW64-3-21-0061 and REIN-18-023
8. In connection with the Ducks Unlimited NAWCA grant for the construction of a water control structure on the McFaddin National Wildlife Refuge, and pursuant to the North American Wetlands Conservation Act Proposal Partner Contribution Statement approved by the Board of Directors on October 9, 2018, payment of Drainage District No. 6’s \$100,000 contribution commitment in support of the 2019 NAWCA grant was authorized on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
9. Request for Proposals for the 5-Year Update to Jefferson County Drainage District No. 6’s Hazard Mitigation Plan for 2022-2027 (RFP 21-012) were approved and the advertisement for proposals, and an administrative meeting for the acceptance of the proposals was authorized on a motion made by Mr. Guillory, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
10. The execution of a Professional Services Agreement (PROF 21-009) with Tolunay-Wong Engineers for the geotechnical engineering work for the District’s Fleet Maintenance & Storage Building was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
11. In connection with the District’s Request for Proposals for Janitorial Services for the District’s Facilities (RFP 21-005), with a receipt deadline of April 13, 2021, the General Manager was granted the authority to execute a contract, on behalf of the District, contingent upon the Evaluation Committee’s recommendation for award, on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none. The award will be ratified at a future meeting.

12. Bid specifications, the advertising for bids, and an administrative bid opening for Box Culverts at Lawhon Rd. and Ground Bridge Gully Crossing (IFB 21-010) were ratified by the Board, and the General Manager was given the authority to make an award to the lowest and best bidder meeting the District’s specifications on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none. The bid award will be ratified at the meeting following the award.
13. Bid specifications, the advertising for bids, and an administrative bid opening for 8th Street Concrete/Asphalt Repair for Elinor FMA Grant Project (IFB 21-011) were approved, and the General Manager was authorized to award the bid to the lowest and best bidder meeting the District’s specifications, on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none. The award will be ratified at the meeting following the award.
14. A bid award for the Term Contract for 60-ft Dragline Services for Jefferson County Drainage District No. 6 (IFB 21-007) to Duck’s Dragline Service, Inc. at a rate of \$110 per hour as shown on the Final Bid Tabulation below was approved, and the execution of an Acceptance of Offer for this contract, with an effective date of May 24, 2021, was authorized by the Board on a motion made by Mr. Kiker, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.

		IFB 21-007/SC 60-Ft. Dragline Services		Duck's Dragline Service, Inc. 8856 Timms Lane Beaumont, TX 77705 Attn: Duck Hilgemeier duckhilgemeier@att.net	
Final Tabulation					
Item	No. Required	Type of Equipment		Rate Per Hour	
1	1 or More	Track-type crawler, 60-Ft minimum boom, wire-rope excavator equipped with a minimum 1 yard digging bucket, minimum operating weight of 60,000 lbs.		\$	110.00

15. A bid award for the Term Contract for Long Boom Mowing Services for Jefferson County Drainage District No. 6 (IFB 21-006) to Hardy Contractors, LLC at a rate of \$95 per hour as shown on the Final Bid Tabulation below was approved, and the execution of an Acceptance of Offer for this contract, with an effective date of May 24, 2021, was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.

		IFB 21-006/SC Long Boom Mowing Services		Duck's Dragline Service, Inc. 8356 Timms Lane Beaumont, TX 77705 Attn: Duck Hilgemeier duckhilgemeier@att.net		Hardy Contractors LLC 1750 Avalon Street Beaumont, TX 77707 Attn: Bobby Hardy ahardy1969@aol.com	
Final Tabulation							
Item	No. Required	Type of Equipment	Rate Per Hour		Rate Per Hour		
1	2	Long-Boom track hoes with a minimum reach of 60' at ground level and must include the following attachments: 5' grass and brush-type mower each equal to the Chomper II by Blythe Tool Company	\$	99.98	\$	95.00	
Alt 1	1	One Slash-buster-type attachment that is capable of being operated by one of the two above mentioned long-boom machines to perform shredding and grinding of trees and brush on District properties.	\$	99.98	\$	95.00	

16. In connection with the Quibodeaux Detention Basin Project (China, area), the execution of a “Memorandum of Understanding” between Drainage District No. 6 and property owners, Becky Ann Broussard and Deborah Marie Mobley, granting the District permission to establish dirt placement sites on their property located adjacent to the Quibodeaux detention basin site was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.

17. Dr. Majdalani called for this item to be TABLED noting that it will be presented at a future meeting, contingent upon receipt of the executed document.
Consider a resolution authorizing the execution of a Letter of Agreement between Drainage District No. 6, Robert P. Saunders, II, and Iketha R. Saunders (on file in the District's records), wherein the District will perform certain work in exchange for Drainage Easements along Ditch No. 1205/Byrd Gully.
18. This item is connected to Item 17 above, therefore, Dr. Majdalani called for it to be TABLED as well.
Consider a resolution accepting a Drainage Easement received from Robert P. Saunders, II, and Iketha R. Saunders, consisting of a 0.816-acre tract and a 1.329-acre tract out of the Amory Raines League, Abstract 44, Jefferson County, Texas, in connection with the Byrd Gully Grant Project/Ditch 1205 and pursuant to an April 7, 2021 Letter of Agreement.
19. In connection with drainage improvements on Ditch No. 511-C (IH-10 @ Hwy-365, west of Gilbert Lake Estates), a "General Warranty Deed" donated by 4-Horn Farm and Ranch, LLC conveying a 1.425-acre tract of land out of the W.H. Aldridge Survey, Abstract No. 13, Jefferson County, Texas (Madison Oaks Subdivision) to Drainage District No. 6 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.
20. In connection with the Green Acres Detention Basin Project, a "General Warranty Deed" received from Atlanta AR, LLC, by and through Hankins Holdings, LLC, member, conveying a 1.93-acre tract out of the John Tucker Survey, Abstract 559, Jefferson County, Texas, to Drainage District No. 6; was accepted and payment to Atlanta AR, LLC in the amount of \$3,000 for the aforementioned deed was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
- 21.-22. On a motion made by Mr. Daleo, which was seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none, the Board adopted the following resolutions:
 21. A resolution authorizing the execution of a Letter of Agreement between Drainage District No. 6, Michael R. McGown, and Patrick W. McGown (on file in the District's records), wherein the District will perform certain work on their property in exchange for the conveyance of a drainage easement along Ditch No. 1205/Byrd Gully.
 22. In connection with the Byrd Gully Grant Project/Ditch No. 1205, and pursuant to an April 9, 2021 Letter of Agreement, a resolution accepting a "Drainage Easement" received from Michael R. McGown and Patrick W. McGown consisting of their interest in a 6.859-acre tract of land out of the Amory Raines League, Abstract 44, Jefferson County, Texas.
- 23.-26. On a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none, the Board adopted the following resolutions:
 23. In connection with drainage improvements on Ditch No. 700 (southwest Jefferson County), a resolution accepting a "Drainage Easement" donated by Kenneth A. Dohner and wife, Alana Dohner, consisting of the actual width of Ditch No. 700, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on their property located in Jefferson County, Texas (Henry Le Fleur Survey, A-642).

24. In connection with drainage improvements on Ditch No. 700, a resolution accepting a "Drainage Easement" donated by Glen Mark Koelemay, consisting of the actual width of Ditch No. 700, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on his property located in Jefferson County, Texas (Henry Le Fleur Survey, A-642).
25. In connection with drainage improvements on Ditch Nos. 900, 901 and 901-C (northeast Jefferson County), a resolution accepting a "Drainage Easement" donated by Judy Broussard, Mary Broussard Coe, Jane Broussard, and Catherine Broussard Trevino consisting of the actual width of Ditch Nos. 900, 901, and 901-C, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on their property located in Jefferson County, Texas (John S. Marble Survey, A-465 and the Westley Dikes Survey A-17).
26. In connection with drainage improvements on Ditch Nos. 200, 206, 206-A, 206-A1 (north of Beaumont Municipal Airport), 607-H, 608, and 608-B (south China area), a resolution accepting a Drainage Easement donated by Rodney Dishman, Josey Dishman, Zachary Dishman, Zane Dishman Blank, and Karen Kay Dishman consisting of the actual width of the aforementioned ditches, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on their property located in Jefferson County, Texas (A. Huston survey, A-33; D. Choate Survey, A-11; M.F. Lazarin Survey, A-536).
27. The execution of a "Release of Drainage Easement" back to the current property owner (Dishman Family), consisting of a 1.466-acre tract located in the M.F. Lazarin Survey, A-536, Beaumont, Jefferson County, Texas that was donated to the District for a proposed drainage ditch (Ditch 609-X) was authorized on a motion made by Mr. Daleo, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
28. A "Temporary Work Agreement" between Jefferson County Drainage District No. 6 and Sam Patel of 3525 Dante Lane, Beaumont, Tx) approving Bob Schwarzlose of Schwarzlose Pool Service, 5750 Viking Dr., Beaumont, Tx 77706 (409-656-2582), access to their property across the maintenance berm of JCDD6 Ditch No. 123-D to install an in-ground pool was authorized, and a fee payable to Drainage District No. 6 in the amount of \$150 for same was approved by the Board on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
- 29.-30. On a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none, the Board adopted the following resolutions:
 29. A resolution authorizing the execution of an "Application and Agreement for Pipeline/Utility Permit (2020-PL-05)" submitted by ExxonMobil Oil Corporation, requesting permission to install pipes across Ditch Nos. 611, 611-A, 611-A2, 611-C, 1206, 1206-A, 104, 104-B, 100, 200, 200-A, 201, 207, 207-A, 212, 203, 204, 607-E, and 607 (Beaumont/China area), consisting of a combination of 12-in, 10-in and 8-in EMOC pipes and 12-in and 8-in MOP pipes transmitting Ethylene, Propane, and RGP; and also approving permit fees associated with this application totaling \$62,500 (35 crossings @ \$1,000, 7 temporary bridges @ \$2,500, 1 open cut @5,000, and 1 permanent road access @ \$5,000).

30. In connection with ExxonMobil Oil Corporation's pipe installations outlined in Pipeline/Utility Permit 2020-PL—005, a resolution authorizing the execution and acceptance of a "Pipeline Easement" to ExxonMobil Oil Corporation labeled as EM-Beaumont 2 Project, over a tract of land owned by Drainage District No 6 on Ditch 200, located in the Shelby Corzine Survey, Abstract No. 14 (southeast of Hwy-124 and south of Tyrrell Park); and also authorizing fees for this easement transaction as follows: \$123,390 for 82.26 rods at \$1,500 each and \$6,420 for Temporary Access Road (\$10.00 per foot for 642 feet).
31. The execution of an "Application and Agreement for Pipeline/Utility Permit (2021-PL-02)" submitted by Colonial Pipeline Company, requesting permission to perform maintenance (sleeve conversion) on a 40-in gasoline line on Ditch No. 302 was authorized and a fee of \$500 associated with this permit was approved on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
- I. Board comments, no action items.
The Board thanked the staff for all the work put into updating the website and noted that it was a big undertaking and looked great.
- J. President called for adjournment of the meeting.


Secretary/Asst. Secretary