

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

**August 10, 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
Bernie Daleo	Vice President
Charles "Chuck" Guillory,	Secretary
Anthony "Tony" Malley,	Director
Charles "Chuck" Kiker,	Director

Directors Absent: None

Staff present:

Doug Canant, PE, RPLS, CFM	District Engineer
J. Thad Heartfield	District's Lead Legal Counsel
Jason Jones	Assistant Superintendent
Paula Karasek	Executive Assistant
Chace Mann	Project Manager
Dr. Joseph G. Majdalani, PE	General Manager
John Murff	Project Manager
Nelson Nixon	Superintendent
Chuck Oakley, CPA	Chief Financial Officer
Karen J. Stewart, MBA, CTP	Business Manager

Visitors: Johnny Haskett – Resident Dishman Road  
Jeffrey Vincent – Resident Dishman Road  
Dan Haver – Resident Dishman Road

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

D. Invocation was given by Mr. Nelson.

E. Workshop Session:

1. There were no easements, street abandonments, and plat reviews discussed.
2. There were no general discussions and 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.

Johnny Haskett and Dan Haver, both residents of Dishman Road, addressed the Board regarding drainage issues along Dishman Road and ask questions about the District's Byrd Gulley Project/Ditch 1205.

Jeffrey Vincent, resident of Dishman Road, thank the Board and the Staff for the recent work that had been done on the Byrd Gully Project, and inquired about the progress of the project.

G. The minutes of July 13, 2021 and July 27, 2021 were approved on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

H. Business Session:

1. The payment of routine bills received since July 13, 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.

2. The receipt and filing of Jefferson County Drainage District No. 6's Investment Schedule for July 31, 2021, pursuant to Section 2256.023 of the Public Funds Investment Act was acknowledged on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
3. In connection with the Conservation and Reclamation Districts' nominee for Jefferson Central Appraisal District Board's 2022 – 2023 term of office, the Board authorized casting Drainage District No. 6's 169 votes for Allison Nathan Getz, on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
4. On a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none, the Board approved the District's 2021 proposed tax rate of \$0.214244/\$100 valuation as distributed below:
 

<u>Proposed tax rate of \$0.214244/\$100 valuation:</u>	
Maintenance and Operating:	\$0.214244/\$100 valuation
TOTAL PROPOSED TAX RATE	
FOR 2021	\$0.214244/\$100 valuation
TOTAL ACTUAL TAX RATE	
FOR 2020	\$0.220024/\$100 valuation
<b>TOTAL DECREASE</b>	
OVER LAST YEAR'S RATE	\$0.00578/\$100 valuation
5. The Board approved a Public Hearing on Jefferson County Drainage District No. 6's proposed tax rate of \$0.214244 per \$100 valuation for 9:00 a.m. on Tuesday, September 14, 2021, on a motion made by Mr. Guillory, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
6. A fourth extension of Jefferson County Drainage District No. 6's existing Depository Contract with Wells Fargo Bank through October 31, 2021, with no changes to the current contract was approved on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
7. In connection with Jefferson County Drainage District No. 6's (District) Depository Contract, on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none, the Board authorized the Jefferson County Treasurer to enter into contract negotiations on behalf of the District; noting that the contract will be brought before Board of Directors for consideration at a future meeting.
8. Pursuant to the authority given to the Board President on January 12, 2021, receipt of the McLean Street Relief grant contract received from the Texas Water Development Board (TWDB Contract #2000012429) was acknowledged; and the July 30, 2021 execution of the contract by the Board President was ratified on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
9. In connection with the Wellington Place Detention Pond Project Roadway Rehabilitation (Ditch No.121), the execution of an Interlocal Agreement between Jefferson County Drainage District No. 6 and the City of Beaumont, outlining each entity's responsibilities associated with repairing the roadway(s) damaged during construction of the detention pond, was authorized on a motion made by Mr. Daleo, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.

10. The execution of Amendment 1 to the March 9, 2021 Interlocal Agreement for the Pignut Gully Project, entered into between the County of Jefferson and Jefferson County Drainage District No. 6, revising Item 9 to now state: ***"The DISTRICT will competitively procure boxes and all required materials,"*** in place of: *"The COUNTY will competitively procure boxes and all required materials, as well as rental equipment, including operators to repair/resurface the road."* Was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
11. Renewal of a "Hunting Lease" with B&B Hunting Club for a period of four (4) years beginning August 1, 2021 through July 31, 2025 over the following:  
 2,853.579 acres and 5.770 acres from the Temple Inland property;  
 99.284 acres from the Nathan Barrier property;  
 15.420 acres in the Green Pond property (Silas Meador); and  
 954.000 acres out of the J. C. Grant Survey;  
 with a yearly rental fee of \$16,283.26 (\$4.75/ac) was authorized on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
12. The Board approved awarding Term Contracts for Motor Fuel (IFB 21-015), to Tri-Con, Inc., Spidle & Spidle, Inc., Midtex Oil, LP, and Sun Coast Resources, Inc. in the amounts shown on the Final Bid Tabulation below, opened during an administrative meeting held on June 22, 2021; and authorized the execution of Acceptance of Offers for these awards on a motion made by Mr. Kiker, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.



IFB 21-015/KJS Motor Fuel  
Final Tabulation

Tri-Con Inc. P.O. Box 20555 Beaumont, TX 77720 Jody Spoonmore 409-835-2237 jodyspoonmore@triconinc.org	Spidle & Spidle Inc. 401 W. 19th Street Port Arthur, TX 77641 Bill Spoonmore 409-727-4400 spidleoil@yahoo.com	Midtex Oil, LP 12583 Hwy 90 West Beaumont, TX 77713 Deena Clanton 979-482-6333 deena@midtexoil.com	Sun Coast Resources, Inc. 6405 Cavalcade St., Bldg. 1 Houston, TX 77026 Terri Bateman 713-429-6702 national@suncoastresources.com
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**Transport (Est. 5,000 to 7,000 gals. Per Load)**

Item	Estimated Quantity (gallons)	Description	Brand	+/- Factor	Brand	+/- Factor	Brand	+/- Factor	Brand	+/- Factor
1	49,098	Unleaded Gasoline Regular Grade 87 Octane	Unbranded	0.059	Unbranded	0.065	Atlas Oil, Bunker One, Global, NGL, Motiva, Valero	0.0700	Various Unbranded	0.0998
2	57,275	No. 2 Diesel Clear	Unbranded	0.059	Unbranded	0.065	Atlas Oil, Bunker One, Global, NGL, Motiva, Valero	0.0700	Various Unbranded	0.0998
3	172,466	No. 2 Diesel Dyed Red	Unbranded	0.059	Unbranded	0.065	Atlas Oil, Bunker One, Global, NGL, Motiva, Valero	0.0700	Various Unbranded	0.0998

**Tank wagon / Bobtail (Est. 300 gals. to 4,500 gals. Per Load)**

Item	Estimated Quantity (gallons)	Description	Brand	+/- Factor	Brand	+/- Factor	Brand	+/- Factor	Brand	+/- Factor
1	5,500	Unleaded Gasoline Regular Grade 87 Octane	Unbranded	0.0225	Unbranded	0.024	Atlas Oil, Bunker One, Global, NGL, Motiva, Valero	0.035	Various Unbranded	0.0098
2	3,650	No. 2 Diesel Clear	Unbranded	0.0225	Unbranded	0.024	Atlas Oil, Bunker One, Global, NGL, Motiva, Valero	0.035	Various Unbranded	0.0098
3	162,666	No. 2 Diesel Dyed Red	Unbranded	0.0225	Unbranded	0.024	Atlas Oil, Bunker One, Global, NGL, Motiva, Valero	0.035	Various Unbranded	0.0000

13. Coast Machinery, LLC was awarded the bid for the acquisition of for Marsh Master® or Equivalent (IFB 21-024) in the amount of \$177,990.00 as shown on the Final Bid Tabulation below, opened during an administrative meeting held on June 20, 2021; and the execution of an Acceptance of Offer contingent upon confirmation of federal and state required registrations was authorized by the Board on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

	(IFB 21-024/KJS)					
	Marsh Master or Equivalent					
	Final Tabulation July 20, 2021					
Coast Machinery LLC	Description	Quantity and Unit	Unit Price	Warranty Price per Unit	Total Price	Delivery Date
10012 Umbehagen Ln. Baton Rouge, LA 70817 Contact: Matt King Phone: 225-753-0412 mattk@marshmaster.com	Marsh Master MM-2LX-KC with Cutter	1 Each	\$ 163,240.00	Included	\$ 163,240.00	12/31/2021
	Trailer	1 Each	\$ 14,750.00	Included	\$ 14,750.00	12/31/2021
					\$ 177,990.00	

14. A bid award to BDS Constructors LLC dba MK Constructors in the amount of \$419,925.00 for IFB 21-022/Concrete Channel Repair Phase II (Ditch No. 114), as shown on the Final Bid Tabulation below, opened during an administrative meeting held on July 20, 2021; and the July 23, 2021 execution of the contract by the Board President was ratified by the Board on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.



Final Bid Tabulation for: CONCRETE CHANNEL REPAIR PHASE II (IFB 21-022/CM)  
Bids Received: July 20, 2021

					MK Constructors		ALLCO	
					16736 IH-10		6720 College Street	
					Vidor, Texas 77662		Beaumont, Texas 77707	
					Phone: 409-769-0089		Phone: 409-860-4459	
Item No.	Item Code	Item Description	Estimated Quantity	Unit	Unit Price	Item Total	Unit Price	Item Total
104	001	Remove Concrete (Rip Rap)	1450	S.Y.	\$ 32.00	\$ 46,400.00	\$ 86.51	\$ 125,439.50
162	001	Sodding for Erosion Control	555	S.Y.	\$ 5.00	\$ 2,775.00	\$ 12.15	\$ 6,743.25
164	001	Seeding for Erosion Control	2500	S.Y.	\$ 1.00	\$ 2,500.00	\$ 0.90	\$ 2,250.00
168	001	Vegetative Watering (12,000 Gallons/Acre per Working Day) (15 Consecutive Days)	180	M.G.	\$ 26.00	\$ 4,680.00	\$ 102.31	\$ 18,415.80
400	001	Excavation & Backfill for Pipe (Cement Stabilized Sand 3-Sack)	12	C.Y.	\$ 150.00	\$ 1,800.00	\$ 170.74	\$ 2,048.88
401	001	Flowable Backfill (As Needed)	20	C.Y.	\$ 200.00	\$ 4,000.00	\$ 134.06	\$ 2,681.20
420	001	Concrete Collar (HDPE Pipe to Various Pipe Materials)	1	EA	\$ 1,200.00	\$ 1,200.00	\$ 943.64	\$ 943.64
432	001	Riprap (8"-Class A) (Channels Greater Than 8-ft Deep)	1450	S.Y.	\$ 220.00	\$ 319,000.00	\$ 141.35	\$ 204,957.50
432	002	Riprap (8"-Class A) (Reconstruct Spillway)	9	S.Y.	\$ 190.00	\$ 1,710.00	\$ 321.96	\$ 2,897.64
464	001	Remove Existing Pipe	20	L.F.	\$ 23.00	\$ 460.00	\$ 51.84	\$ 1,036.80
464	002	Install 24" HDPE Pipe	20	L.F.	\$ 85.00	\$ 1,700.00	\$ 86.84	\$ 1,736.80
500	001	Mobilization (Not to Exceed 10%)	1	L.S.	\$ 18,750.00	\$ 18,750.00	\$ 46,570.00	\$ 46,570.00
502	001	Barricades, Signs & Traffic Handling	3	MO.	\$ 350.00	\$ 1,050.00	\$ 750.00	\$ 2,250.00
506	001	Construction Exit (Install & Grading North Side of Ditch)	1	EA	\$ 3,000.00	\$ 3,000.00	\$ 14,976.62	\$ 14,976.62
506	002	Construction Exit (Remove & Regrading North Side of Ditch)	1	EA	\$ 600.00	\$ 600.00	\$ 6,938.31	\$ 6,938.31
506	003	Erosion Control - Silt Fence (Install & Remove)	350	L.F.	\$ 6.00	\$ 2,100.00	\$ 7.50	\$ 2,625.00
506	004	Erosion Control - Rock Filter (Install & Remove)	2	EA	\$ 1,500.00	\$ 3,000.00	\$ 5,429.00	\$ 10,858.00
999	6001	Dewatering	4	EA	\$ 1,300.00	\$ 5,200.00	\$ 16,017.49	\$ 64,069.96
					Bid Total = \$ 419,925.00		Bid Total = \$ 517,438.90	

15. Pursuant to the authority given the General Manager by the Board on July 13, 2021, a bid award to Deztex Industrial Services, LLC dba RAMTEX, in the amount of \$184,900.00 for IFB 21-019/Fleet Maintenance Building Shallow Foundations and Pavement, as shown on the final Bid Schedule below; and the July 29, 2021 execution of the contract by the General Manager was ratified on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none

JEFFERSON COUNTY DRAINAGE DISTRICT NO.6						
Bid Schedule						
PROJECT:		IFB 21-019/EC Fleet Maintenance Building (FMB) Shallow Foundations and Pavement			Contractor Information	
Base Bid Items					Base Bids	
Item No.	Item Code	Description	Estimated Quantity	Unit	Unit Price	Total
360	001	Concrete Pavement (Joint Reinforced) (Class-P/8")	1,260	S.Y.	\$ 113.93	\$ 143,551.80
360	001	Concrete Pavement (Joint Reinforced) (Class-P/6")	40	S.Y.	\$ 143.55	\$ 5,742.00
416	001	Drilled Shaft Foundations (Reinforced Class-C)	480	LF	\$ 55.04	\$ 26,419.20
500	001	Mobilization (Not to Exceed 10%)	1	LS	\$ 9,187.00	\$ 9,187.00
					Base Bid Total = \$ 184,900.00	

16. The Board ratified the acceptance of bid specifications, advertising, and administrative bid opening for Rebar for FMA Byrd Gully (IFB 21-026); and authorized the General Manager to make an award and execute the Acceptance of Offer(s) to the lowest and best bidder(s) meeting specifications, on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
17. Bid specifications were accepted for Cellular Concrete Mats for Jefferson County Drainage District No. 6 (IFB 21-028), and the advertising and an administrative bid opening for the solicitation was authorized on a motion made by Mr. Guillory, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
18. Bid specifications were accepted for the Term Contract for Heavy Materials for Jefferson County Drainage District No. 6 (IFB 21-029) and the advertising and an administrative bid opening for this bid solicitation was authorized on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
19. Request for Qualifications were approved for Engineering Services for BRIC and FMA 2021 (RFQ 21-030); and the advertising and an open administrative meeting for acceptance of the qualifications were authorized on a motion made by Mr. Daleo, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
20. Request for Qualifications were approved for Grant Application Development and Grant Management Services for BRIC and FMA 2021 (RFQ 21-031); and the advertising and an open administrative meeting for acceptance of the qualifications. Were authorized on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.

- 21.-22. On a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes-4, nays-none, and abstention by Mr. Kiker, the Board adopted the following two resolutions:
21. A resolution authorizing the execution of a "Letter of Agreement" dated June 29, 2021 between Drainage District No. 6 and Charles A. Kiker, Jr. (on file in the District's records), wherein Drainage District No. 6 will perform certain work on his property in exchange for a drainage easement along Ditch No. 502.
  22. Pursuant to a June 29, 2021 Letter of Agreement, a resolution accepting a "Drainage Easement" donated by Charles A. Kiker, Jr. consisting of the actual width of Ditch No. 502 (Burrell Wingate-Fannett), including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on his property located in Jefferson County, Texas (David Burrell League, Abstract 68).
- 23.-24. On a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes-all; nays-none, the Board adopted the following two resolutions:
23. A resolution authorizing the execution of a "Letter of Agreement" dated August 2, 2021 between Drainage District No. 6 and Gus T. Harris, Jr. (on file in the District's records), wherein Drainage District No. 6 will perform certain work on his property in exchange for a drainage easement along Ditch No. 505.
  24. Pursuant to an August 2, 2021 Letter of Agreement, a resolution accepting a "Drainage Easement" donated by Gus T. Harris consisting of the actual width of Ditch No. 505 (Hwy-365/Fannett), including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on his property located in Jefferson County, Texas (W.J. Barton Survey, Abstract 101).
25. In connection with drainage improvements along Ditch No. 505-A (Lulu Ln & Hwy-365), a "Drainage Easement" donated by David W. Smith and Sally Smith, consisting of the actual width of Ditch No. 505-A, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on their property located in Jefferson County, Texas (Thomas S. McFarland Survey, Abstract 38) was accepted by the Board on a motion made by Mr. Daleo, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
26. In connection with drainage improvements along Ditch No. 505-B (W. Clubb Rd.), a "Drainage Easement" donated by Patsy R. Hanchett, consisting of the actual width of Ditch No. 505-B, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on her property located in Jefferson County, Texas (John C. Lawhon League, Abstract 35) was accepted by the Board on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.
27. The execution of a "Letter of Agreement" dated July 29, 2021 between Drainage District No. 6 and Bobby J. and Shari A. Meadows (on file in the District's records), wherein Drainage District No. 6 will perform certain work on their property in exchange for a drainage easement along Ditch No. 505-B, was authorized on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

28. Pursuant to a July 29, 2021 Letter of Agreement, a "Drainage Easement" donated by Bobby J. and Shari A. Meadows, consisting of the actual width of Ditch No. 505-B (W. Clubb Rd.) including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on their property located in Jefferson County, Texas (John C. Lawhon League, Abstract 35) was accepted by the Board on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
29. In connection with drainage improvements along Ditch No. 609 (China, Tx.), a "Drainage Easement" donated by Martha Galvan, consisting of the actual width of Ditch No. 609, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on her property located in Jefferson County, Texas (M.F. Lazarine Survey, Abstract 36) was accepted by the Board on a motion made by Mr. Guillory, seconded by Mr. Kiker, with the voting as follows: ayes—all; nays—none.
30. In connection with drainage improvements along Ditch No. 800 (Thompson Rd.), a "Drainage Easement" donated by Caye Reddell, consisting of the actual width of Ditch No. 800, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on her property located in Jefferson County, Texas (D. Easley Survey, Abstract 520) was accepted by the Board on a motion made by Mr. Kiker, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
31. Amendment 1 to Agreement for Pipeline/Utility Permit 2020-PL-5 (approved on April 13, 2021) submitted by ExxonMobil Oil Corporation requesting permission to add a temporary bridge over Ditch 204 (Walden Rd. and Smith Rd.) was approved, and a fee associated with the amendment in the amount of \$2,500.00 was authorized on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.
32. The execution of an "Agreement for Pipeline/Utility Permit (2021-PL-3)" submitted by CenterPoint Energy Texas Gas Operations granting them permission to cross Ditch 107 (off Cardinal Dr. between 4<sup>th</sup> Street and Hwy-124) with one 2-inch, intermediate pressure plastic gas line containing natural gas was approved, and a fee for this crossing in the amount of \$1,000.00 was authorized on a motion made by Mr. Malley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.
33. The Board approved an amendment to the January 1, 2020 General Manager's Employment Agreement between Jefferson County Drainage District No. 6 ("District") and Dr. Joseph G. Majdalani, PE, CFM ("General Manager") for the purpose of adopting the District's Personnel Policies and Practices Manual designation of Personal Time Off ("PTO") for the General Manager's PTO to be equivalent to that provided to a District employee who has worked at the District for at least 15 years, and authorized the Board's President to execute the Amending Agreement on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: four-ayes and one-nay (Kiker).
34. At 9:42 a.m. the President called for an Executive Session (closed to public) under Title 5, Subchapter D, of the Texas Government Code, Section 551.071 to discuss pending and potential litigation: Zurich American Insurance Company agreement with Jefferson County Drainage District No. 6.
35. At 9:51 a.m., the Board reconvened in open session, and on a motion made by Mr. Malley seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none, the Board authorized the execution of a Release and Contract of Settlement between Zurich American Insurance Company as subrogee of Group 1 Automotive, Inc.

- I. There were no further comments from the Board.
- J. The President called for adjournment of the meeting.

A handwritten signature in black ink, consisting of a stylized 'C' followed by a horizontal line and a large loop.

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Secretary/Asst. Secretary