

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

November 9, 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, III	Director
Charles "Chuck" Kiker, III	Director

Directors Absent: None

Staff present:

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

Visitors: Bishop David L. Toups

Griffith Mosley Johnson Representatives:
Megan Gallier, John Johnson and former Mayor Becky Ames

Mr. Don Wade, resident of Sandy Lane, Fannett

Johnny Haskett, resident of Dishman Road, Beaumont
Richard Dismukes, resident of Dawn Drive, Beaumont
George Flowers, resident of Grand Oak Estates

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

D. Invocation was given by Bishop Toups.

E. Workshop Session

1. Presentation regarding Coastal Caverns Abatement Request given by Griffith Mosley Johnson.
2. No Easements, street abandonments, and plat reviews were discussed.
3. There were no general discussion 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.

Mr. Haskett expressed his appreciation to the Board and staff for all the work that has been done in his area (Byrd Gully Project). "Great job."

Mr. Dismukes and Mr. Flowers attended on behalf of Grand Oak Estates and presented the Board with questions/concerns residents had about the District's proposed Bayou Din Detention Project benefiting Grand Oak Estates. Mr. Canant offered to meet with them after the meeting to talk about the project.

Mr. Lane inquired about the project being planned off Hwy-124. Mr. Canant offered to meet with him after the meeting to discuss his concerns.

G. The minutes of October 12, 2021, were approved on a motion made by Mr. Guillory, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

H. Business Session continued:

1. Consider a resolution authorizing the payment of routine bills received since October 12, 2021, that were not expressly authorized or denied for payment elsewhere on this agenda.

Motion made by: Mr. Kiker

Motion seconded by: Mr. Daleo

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

2. Consider a resolution approving a fifth extension of Jefferson County Drainage District No. 6's existing Depository Contract with Wells Fargo Bank through March 2022, with no changes to the current contract, to allow all business transactions to clear during the transition to Allegiance Bank.

Motion made by: Mr. Daleo

Motion seconded by: Mr. Guillory

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: APPROVED

3. Acknowledge the receipt and filing of Jefferson County Drainage District No. 6's "Investment Schedule for October 31, 2021", pursuant to Section 2256.023 of the Public Funds Investment Act.

Motion made by: Mr. Malley

Motion seconded by: Mr. Kiker

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: ACKNOWLEDGED

4. Consider a resolution authorizing the casting of the District's 169 votes for Allison Nathan Getz, nominated to serve on the Jefferson Central Appraisal District Board of Directors for the 2022-2023 term of office.

Motion made by: Mr. Daleo

Motion seconded by: Mr. Kiker

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

5. Consider a resolution approving the updated "Jefferson County Drainage District No. 6 Uniform Tax Abatement Policy-2021."

Motion made by: Mr. Malley

Motion seconded by: Mr. Guillory

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: APPROVED

6. Pursuant to Section 312 of the Texas Tax Code, consider a resolution authorizing the posting, on November 12, 2021, of Drainage District No. 6's "Notice of Tax Abatement Consideration" for Coastal Caverns 1 LP Tax Abatement Agreement, which will be brought before the District's Board of Directors for consideration at their regular meeting on December 14, 2021.

Motion made by: Mr. Malley
Motion seconded by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

7. Consider a resolution authorizing a "Term Contract with Family Services of Southeast Texas, Inc." (PROF 21-038), with an effective date of January 1, 2022 and an expiration date of December 31, 2022, at a rate of \$22.00 per employee, per year.

Motion made by: Mr. Daleo
Motion seconded by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

8. In connection with Drainage District No. 6 employee training, consider a resolution ratifying the execution, by the Board President, of a proposal submitted by Dale Carnegie Training of Middle LA and East TX in an amount not to exceed \$20,000.00.

Motion made by: Mr. Kiker
Motion seconded by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: RATIFIED

9. Pursuant to the authority given the General Manager on October 12, 2021, consider a resolution ratifying an award and the execution of a contract to JSWA, Inc. at the rates noted below, in connection with Professional Services for Grant Application Development and Grant Management for 2021 Funding of Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities Grant Program (BRIC), and/or Flood Mitigation Assistance Grant Program (FMA) Grant Projects (RFP 21-032):

Total fees for Basic Services and Reimbursables for the work as in the payment section below, shall not exceed the following sums unless specifically authorized by the District according to change and modification provisions in the Agreement.

Grant Application Development

Applications with BCAs on at or less than 25 homes	\$10,000
Applications with BCAs on 26-75 homes	\$12,000
Applications with BCA on 76-100 homes	\$13,000
Applications with BCAs on 101 to 200 homes	\$15,000
Applications with BCA on 201-300 homes	\$17,000
Applications with BCA on greater than 300 homes	\$20,000

Grant Management Services

The following rates will be used to negotiate support under specific task orders where grant management has been awarded within the grant.

	<u>Sr. Mitigation Specialist</u>	<u>Mitigation Specialist</u>
Year 2021	\$175.00	\$135.00
Year 2022	\$180.00	\$140.00
Year 2023	\$185.00	\$145.00
Year 2024	\$190.00	\$150.00

Per Parcel Project Management Services for Home Acquisition/Demolition
\$2,500 per parcel (relocation support, appraisal services, and settlement services not included in this price per parcel).

Motion made by: Mr. Daleo
Motion seconded by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: RATIFIED

10. Pursuant to the authority given the General Manager on October 12, 2021, consider a resolution ratifying awards and the execution of a contracts to the firms listed below, in connection with Professional Engineering Services for 2021 Funding of Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities Grant Program (BRIC), and/or Flood Mitigation Assistance Grant Program (FMA) Grant Projects (RFQ 21-033):
- Freese and Nichols, Inc. Professional Engineering Services Agreement in an amount not to exceed \$56,272.00 (Prof 21-033-FNI);

• Gauge Engineering Professional Engineering Services Agreement in an amount not to exceed \$30,000 (Prof 21-033-Gauge); and

• Lockwood, Andrews, and Newnam, Inc. Professional Engineering Services Agreement in an amount not to exceed \$51,460.00 (Prof 21-033-LAN).

Motion made by: Mr. Daleo
Motion seconded by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: RATIFIED

11. In connection with the Term Contract to Premier Concrete Products, Inc. in the amount of \$137,318.40 for Cellular Concrete Mats for Jefferson County Drainage District No. 6 (IFB 21-028), approved by the Board on September 14, 2021, consider a resolution ratifying the execution of “Change Order No. 1” in the amount of \$34,329.60 for adjustments made to increase the quantity of mats from 180 to 225, bringing the total contract price to \$171,648.00.
- Motion made by: Mr. Daleo
Motion seconded by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: RATIFIED

12. In connection with the contract awarded to Deztex Industrial Services, LLC d/b/a RAMTEX, in the amount of \$184,900.00 for IFB 21-019/Fleet Maintenance Building Shallow Foundations and Pavement, consider a resolution authorizing the execution of "Change Order No. 02" providing for the modification of eight existing concrete columns, increasing the total contract price by \$8,038.72, for a total contract price of \$208,774.99.

Motion made by: Mr. Guillory

Motion seconded by: Mr. Malley

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

13. Consider a resolution authorizing the execution of a "Notice of Encroachment License" between Drainage District No. 6 and the City of Beaumont, wherein the City of Beaumont will be granted permission to install 16 flood sensors on Drainage District No. 6 rights-of-way; and pursuant to an Interlocal Agreement approved by the Board on October 12, 2021, approving the waiver of any fees that may be associated with this encroachment license.

Motion made by: Mr. Daleo

Motion seconded by: Mr. Kiker

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: APPROVED

14. In connection with drainage improvements along Ditch No. 406-C, consider a resolution accepting a "Letter of Release" from Michael and Terri Shilo acknowledging the fulfillment of the Drainage District No. 6's obligations outlined in a Letter of Agreement dated February 25, 2021.

Motion made by: Mr. Daleo

Motion seconded by: Mr. Malley

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: APPROVED

15. In connection with drainage improvements on Ditch 407/North Green Acres Detention, and pursuant to the authority given the District's General Manager and/or Legal Counsel on September 14, 2021, consider a resolution authorizing the acceptance of a "General Warranty Deed" received from Susan McClanahan, Individually and as Independent Administratrix of the Estate of Gloria Duane McClanahan; and the living children of Gloria Duane McClanahan at the time of her death, consisting of a 43.897-acre tract of land out of the Manuel Chirino Survey, Abstract 10, Jefferson County, Texas; and also authorizing payment to said owners in the amount of \$285,500.00 upon closing to be conducted by Texas Regional Title.

Motion made by: Mr. Guillory

Motion seconded by: Mr. Daleo

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley

Opposed: Mr. Kiker

Action: AUTHORIZED

16. In connection with drainage improvements on Ditch 407/North Green Acres Detention, and pursuant to the authority given the District's General Manager and/or Legal Counsel on September 14, 2021, consider a resolution authorizing the acceptance of a "General Warranty Deed" received from Thomas B. Parker and Margaret A. Parker consisting of a 14.621-acre tract located in Manuel Chirino Survey, Abstract 10, Jefferson County, Texas; and also approving payment to the Parkers in the amount of \$90,000.00 upon closing to be conducted by Texas Regional Title.

Motion made by: Mr. Daleo
Motion seconded by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley
Opposed: Mr. Kiker
Action: AUTHORIZED

17. In connection with drainage improvements along Ditch 106-A (Rena Street), consider a resolution accepting a "Drainage Easement" donated by the City of Beaumont across a 0.7787-acre tract of land located in the J.W. Bullock League Abstract 7, Jefferson County, Texas.

Motion made by: Mr. Guillory
Motion seconded by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

18. In connection with drainage improvements along Ditch 1205/Byrd Gully, consider a resolution accepting a "Drainage Easement" received from Toncia C. Simon a/k/a/ Toncia C. Mack consisting of a 0.394-acre tract of land out of the Amory Raines League, Abstract 44, Jefferson County, Texas; and also authorizing payment in the amount of \$2,000.00 for this easement.

Motion made by: Mr. Malley
Motion seconded by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

19. In connection with drainage improvements along Ditch 1205/Byrd Gully, consider a resolution accepting a "Drainage Easement" received from Terence Joseph Simon consisting of a 0.394-acre tract of land out of the Amory Raines League, Abstract 44, Jefferson County, Texas; and also authorizing payment in the amount of \$2,000.00 for this easement.

Motion made by: Mr. Malley
Motion seconded by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

20. Consider a resolution authorizing the execution of a "Letter of Agreement" dated October 13, 2021 between Drainage District No. 6 and Richard Mackan, 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 Nos. 800 and 803.

Motion made by: Mr. Guillory

Motion seconded by: Mr. Daleo

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

21. Pursuant to an October 13, 2021 Letter of Agreement, consider a resolution accepting a "Drainage Easement" donated by Richard Mackan, Jr. in connection with drainage improvements along Ditch Nos. 800 and 803, (McDermard Road), consisting of the actual width of Ditch Nos. 800 and 803, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on his property located in Jefferson County, Texas (T. & N. O. RR. Co. Survey, Section 46, Abstract 806).

Motion made by: Mr. Guillory

Motion seconded by: Mr. Daleo

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

22. In connection with drainage improvements along Ditch Nos. 605 and 605-E4, (Hwy-90 & Meeker Road) consider a resolution accepting a "Drainage Easement" donated by the Melancon Childrens' Trust, consisting of the actual width of Ditch Nos. 605 and 605-E4, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on their property located in Jefferson County, Texas (James Gerish Sr. Survey, Abstract 24 and James Gerish Jr. Survey, Abstract 25).

Motion made by: Mr. Daleo

Motion seconded by: Mr. Guillory

In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker

Opposed: None

Action: AUTHORIZED

- I. Board comments: or There were no further comments from the Board.

Mr. Daleo noted that crews should be taking advantage of the dry weather to catch up on routine maintenance and that everyone is doing a great job.

Dr. Majdalani informed the Board that the District is purchasing enough supplies and materials to keep the District's jobs going due to the current supply chain problems

- J. The President called for adjournment of the meeting.


Secretary/Asst. Secretary