

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

**December 14, 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
Anthony "Tony" Malley, III	Director
Charles "Chuck" Kiker, III	Director

Directors Absent: Charles "Chuck" Guillory, Secretary

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: Bobby Meadows, resident W. Clubb Road.

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

D. Invocation was given by Chuck Oakley.

E. Workshop Session

1. No Easements, street abandonments, and plat reviews were discussed.
2. 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. Meadows, a resident of W. Clubb Road, addressed the Board to thank them and the District's staff and workforce for the work that is being performed in his area. He stated that he met with Mr. Murff, and he kept all his promises and that he and his crews were extremely pleasant. He thanked the District for going "above and beyond."

G. The minutes of November 9, 2021, were approved on a motion made by Mr. Maley, seconded by Mr. Daleo, with the voting as follows: ayes—all; nays—none.

H. Business Session continued:

1. A resolution authorizing the postponement of the Property Tax Abatement Agreement between Coastal Caverns 1 LP and Jefferson County Drainage District No. 6 until a future meeting was adopted by the on a motion made by Mr. Daleo, seconded by Mr. Malley, with the voting as follows: ayes—all; nays—none.

2. Consider a resolution authorizing the payment of routine bills received since November 9, 2021, that were not expressly authorized or denied for payment elsewhere on this agenda.

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

3. Acknowledge the receipt and filing of Jefferson County Drainage District No. 6's Investment Schedule for November 30, 2021, pursuant to Section 2256.023 of the Public Funds Investment Act.

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

4. As required by statute, consider a resolution approving and authorizing execution of the District's "Investment Policy and Procedures" for 2022.

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

5. As required by statute, consider a resolution approving the District's "Approved List of Brokers/Dealers" for 2022 (Exhibit 2 to Investment Policy and Procedures).

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

6. Consider a resolution ratifying the execution of a request for the release and substitution of the following pledged securities, as requested by Wells Fargo Bank:

**RELEASE:**

<u>Description</u>	<u>Market Value</u>	<u>Cusip #</u>
FR ZL2776	\$823,579.69	3131XJCM2

**SUBSTITUTE:**

<u>Description</u>	<u>Market Value</u>	<u>Cusip #</u>
FN FM9414	\$828,151.51	3140XDN85

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



7. Consider a resolution ratifying the execution of an engagement letter received from Roland Bieber for consultant services related to tax abatement policies at a rate of \$3,000.00 for the first 20 hours of service and \$125.00 per hour thereafter.

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

8. Consider a resolution authorizing the execution of an “Insurance Consulting and Risk Management Service Agreement” with J.S. Edwards and Sherlock Insurance Agency in the amount of \$6,423.00 per year and a term of January 1, 2022 to December 31, 2022.

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

9. Consider a resolution ratifying the Districts submittal of grant applications seeking financial assistance as noted below:

Type Grant Submitted	Project Name	Federal Share*	Local Match*	Total Grant*
BRIC	Fannin Street River Diversion	\$36,242,204.43	\$12,080,734.81 (25%)	\$48,322,939.24
BRIC & FMA	Virginia Street Detention	\$10,179,285.00	\$3,393,095.00 (25%)	\$13,572,380.00
BRIC & FMA	Delaware Street Detention	\$9,887,961.00	\$3,295,987.00 (25%)	\$13,183,948.00
BRIC	Bayou Din Detention	\$49,702,021.40	\$29,189,758.60 (37%)	\$78,891,780.00
BRIC FMA	Borley Heights Relief	\$3,432,900.75	\$1,144,300.25 (25%)	\$4,577,201.00
BRIC	Ditch 100-A Repairs	\$29,512,416.00	\$9,837,472.00 (25%)	\$39,349,888.00

\*Estimated figures at this time.

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

10. In connection with BDS Constructors LLC d/b/a MK Constructors contract for Concrete Channel Repair Phase II-Ditch No. 114 (IFB 21-022), consider a resolution ratifying the execution of “Change Order 1” in the amount of \$9,867.60 to incorporate an additional section of the existing concrete channel lining requiring replacement due to a failure that formed after the project was awarded; increasing the total final contract amount from \$419,925.00 to \$429,792.60.

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

11. In connection with “Professional Services Agreement (PROF 21-033)” with Gauge Engineering for 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, consider a resolution authorizing an amendment to the original contract to increase the “not to exceed” value from \$30,000 to \$50,000, an increase of \$20,000, due to the authorized expansion of scope to include professional environmental services.

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

12. Based upon the Evaluation Committee’s recommendation and 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 Traylor and Associates, Inc., 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 (PROF 21-032-Traylor) in an amount not to exceed 5% of the project cost based on the grant funds received.


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

13. In connection with the bid solicitation for the “Term Contract for Grass and Seed Cover (IFB 21-031),” consider a resolution authorizing the rejection of any and all bids received on December 2, 2021, to allow for the re-bid of item(s) once supply chains stabilize.

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



14. In connection with bids received on November 18, 2021 for the Publication of Legal Notices (IFB 21-036), consider a resolution approving an award to *The Examiner* in the amount(s) listed on the Final Bid Tabulation below; and also authorizing the execution of an Acceptance of Offer for same.



IFB 21-036/KJS  
Publication of Legal Notices

The Examiner  
795 Willow St.  
Beaumont, Tx 77701  
Attn: Donna Broussard  
[legalnotice@theexaminer.com](mailto:legalnotice@theexaminer.com)

FINAL TABULATION

Item	Description	Daily Rate Per Line	Sunday Rate Per Line
1	Newspaper with circulation of 50,000 or more.	\$ -	\$ -
2	Newspaper with circulation of under 50,000.	\$ 1.25	\$ -

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

15. In connection with drainage improvements along Ditches 1000 and 1000-A (Keith Rd. & Hwy-105, north Beaumont), consider a resolution accepting a "Drainage Easement" donated by Geraldine Conner Barnes, Kirk Joseph Conner, Guadalupe Conner, and Jennifer Conner Dupont consisting of the actual width of Ditches 1000 and 1000-A, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on their property located in Jefferson County, Texas (D. Easley Survey, A-520).

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

16. In connection with drainage improvements along Ditch 502 (Hwy-365, Fannett), consider a resolution accepting a "Drainage Easement" donated by Jon G. and Carrie E. Sanders consisting of the actual width of Ditch 502, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on their property located in Jefferson County, Texas (Manuel Chirino Survey, A-10).

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

17. In connection with drainage improvements along Ditches 804-B and 804-B2 (Kotz Rd. & Hwy 365, Nome), consider a resolution accepting a "Drainage Easement" donated by Betty Earl Kotz Estate consisting of the actual width of Ditches 804-B and 804-B2, including improvements, plus 25 feet on each side of the ditch tops where the ditches lie on the estate's property located in Jefferson County, Texas (John Blair Survey, A-4).

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

18. Consider a resolution approving "Agreement for Pipeline/Utility Permit 2021-PL-5" submitted by Chevron Phillips Chemical Company LP requesting permission to install one 12-in line, one 18-in line and one 24-in line transporting natural gas liquids across Ditch Nos. 502 502-A, 502-B, and 502-C using horizontal directional drilling (HDD) method; open cut installations on Ditches 501, 501-A, 501-A3, 501-A4; temporary bridges installed across Ditch Nos. 500-A3, 500-A4, 501, 501-A, 502, 502-A, 502-B; and authorizing a fees associated with this permit totaling \$49,500.00 for 12 HDD crossings, 4 open cut crossings and 7 temporary bridges; and also authorizing a Special Provisions Addendum associated with the permit to allow six months from the start date to complete the project.

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

19. Consider a resolution authorizing the sale at public auction of the following old and/or worn-out surplus equipment, with the proceeds from the sale to be deposited into the Maintenance and Operating Fund:

Unit 2003 – 50-Ton Crane

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

20. At 9:35 a.m., the President to call an Executive Session (*Closed to the Public*) – Board convened in a closed session under Chapter 551 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:

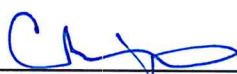
a. Section 551.071 Government Code - To discuss legal issues.

21. The Board reconvened in open session at 10:03 a.m.

22. Pursuant to Section 312 of the Texas Tax Code, the Board authorized the posting on December 16, 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 January 25, 2022.

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

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

  
Secretary/Asst. Secretary