

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

June 21, 2022

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
Charles "Chuck" Kiker, III	Director

Directors Absent: Anthony "Tony" Malley, III, Director

Staff present:

Harold "Ernie" Crochet	Engineer Project Technician
Kristen Ferguson, CPA	Chief Financial Officer
J. Thad Heartfield	District's Legal Counsel
Jason Jones	Maintenance Coordinator
Paula Karasek	Executive Assistant
Dr. Joseph G. Majdalani, PE	General Manager
Chace Mann	Program Manager
John Murff	Field Operations Manager/ROW Coordinator
Miranda Pate	Human Resources Manager
Wallace "Butch" Wilson, PE	Senior Engineer

Visitors: Preston Pomykal, Vice President of Holmes Murphy
Jarvis Russell, Resident of China Texas

C. Mr. Allen led the Pledge of Allegiance.

D. Invocation was given by Mr. Mann.

E. Workshop Session.

1. Preston Pomykal of Holmes Murphy presented the Board with three options pertaining to the District's Employee Health Insurance Program
2. Chace Mann delivered a presentation discussing the District's concrete-lined ditch repairs; updates on complete and planned repairs
3. There were no easements, street abandonments, and plat reviews discussed.
4. There were no general discussions or reports on various drainage plans and projects.

F. Public Comments: Citizens in attendance were given the opportunity to address the Board of Directors on agenda items or concerns not on the agenda. The District has retained the public comment cards reflecting individuals who addressed the Board.

Jarvis Russell, a resident of China, Texas who donated right-of-way along Ditch No. 609-G addressed the Board to say "Thank you" for all the work that the District has been performing in the China area. He expressed his appreciation for the District's knowledgeable and experienced staff, especially John Murff, who according to Mr. Jarvis, "...who took the time, listened, looked into my problem, and went into action to reach a solution." Mr. Jarvis closed by saying that he appreciated Mr. Muff's honesty and that he stayed true to his work, and that the District is doing a lot of good in China.

G. The Minutes of May 17, 2022 were approved on a motion made by Mr. Daleo, seconded by Mr. Guillory, with the voting as follows: ayes—all; nays—none.

H. Business session:

1. Consider a resolution authorizing the payment of routine bills received for the month of May 2022, that were not expressly authorized or denied for payment elsewhere on this agenda.

Motion made by: Mr. Guillory
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

2. Acknowledge the receipt and filing of Jefferson County Drainage District No. 6's Investment Schedule for May 31, 2022, pursuant to Section 2256.023 of the Public Funds Investment Act.

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Acknowledged

3. Pursuant to Section 49.151 of the Texas Water Code, consider a resolution authorizing all appointed Board Members, Dr. Joseph Majdalani, PE, CFM, General Manager; Karen J. Stewart, MBA, CTCD/CTCM, Chief Business Officer; and Kristin Ferguson, CPA, Chief Financial Officer; as signatories on the District's Payroll Account with Allegiance Bank.

Motion made by: Mr. Guillory
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

4. Pursuant to Section 49.151 of the Texas Water Code, consider a resolution authorizing all appointed Board Members as signatories on the District's Maintenance Account with Allegiance Bank.

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

5. The President declared a public hearing in session for the purpose of comments on the District's consideration of a Tax Abatement Agreement for the Raman Project Facility in/near Beaumont, Texas, pursuant to Section 312.401, of the Texas Tax Code.

There were no comments, and the hearing was closed.

6. Consider and possibly approve and authorize the Board President to execute a Tax Abatement Agreement for the Raman Project Facility in/near Beaumont, Texas, pursuant to Sec. 312.401, Texas Tax Code (The Property Redevelopment and Tax Abatement Act).

Motion made by: Mr. Guillory
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

7. Consider a resolution accepting and approving the Jefferson County Drainage District No. 6's revised "Personnel Policy and Procedures Manual" with an effective date of July 1, 2022.

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Accepted and Approved

8. In connection with the Ditch 608-LNVA East China Lateral Crossing Project, consider a resolution authorizing the execution of an "Interlocal Agreement" between Jefferson County Drainage District No. 6 ("District") and the Lower Neches Valley Authority (on file in the District's records), outlining each entities responsibilities related to the crossing improvement on Ditch 608, and also providing for a 50% reimbursement of labor, equipment, and material costs to the District in an amount not to exceed \$450,000.

Action: This item was Tabled.

9. In connection with the Regional Watershed Study Grant, consider a resolution ratifying the execution of "Amendment No. 1" to the January 19, 2022 Master Professional Services Agreement with Freese and Nichols (Contract No. 21-013) to include Texas Water Development Board Commitment No. G1001280, Section II-Standard Agreement, Article VII Subcontracts, Clause 1-B as follows:

"Freese and Nichols agree and acknowledge that it is subject to all applicable requirements of the master contract between Jefferson County drainage District No. 6 and the Texas Water Development Board. Freese and Nichols adopt, by reference, the requirements of Article VII of the TWDB Commitment No. G1001280 for this subcontract."

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Ratified

10. In connection with Drainage District No. 6's maintenance program, consider a resolution authorizing "Amendment 2 to the Agreement for Litter Removal Services for District Rights-of-Way and Specified Areas (Contract 20-016)" between Drainage District No. 6, WorkQuest, and Beaumont Products & Services, Inc., providing for a decrease in the agreement's "not to exceed" amount from \$30,000 to \$20,000, and an increase in the per person hourly rate from \$17.20 to \$19.50 under Item 19-Fulfillment and Payment as follows:

19. FULFILLMENT AND PAYMENT

19.2.1 The District shall pay WorkQuest at a rate of \$19.50 per hour per person as reported by the Provider. Payment will be made for crew member hours actually worked. No minimum payments for inclement weather days will be allowed. This payment shall be full compensation for all work performed, equipment, materials, transportation, and incidentals necessary to complete the work as well as disposal of the litter;

19.3 Compensation for services shall be based on the rates noted in Agreement (20-016). The estimated basic fee shall not exceed Twenty Thousand Dollars (\$20,000) in a one-year period;

and also authorizing the execution of the second and final option to renew for one additional year, extending the contract expiration date from June 30, 2022 to June 29, 2023.

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

11. In connection with United Rentals Reliable Onsite's term contract for Services to Provide Portable Toilets (IFB 21-018) approved on July 13, 2021, consider a resolution authorizing the execution of the first of four 1-year renewal options, extending the contract expiration date from July 12, 2022 to July 11, 2023.

Motion made by: Mr. Guillory
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

12. In connection with the term contract for Electrical Services for Jefferson County Drainage District No. 6 (PROF 21-016) awarded to Jefferson Electric Co. (Primary) and Gulf Coast Electric Co. (Secondary) and approved on July 13, 2021, consider a resolution authorizing the execution of the first of four 1-year renewal options, extending the contract expiration date from July 12, 2022 to July 11, 2023.

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

13. In connection with the Amelia Cutoff FMA Community Flood Mitigation Project, consider a resolution authorizing the General Manager to award and execute an Acceptance of Offer with the lowest and best bidder meeting the District's specifications for Concrete Box Culverts (IFB 22-013), with ratification of the Acceptance of Offer at the meeting following the award.

Motion made by: Mr. Daleo

Second by: Mr. Guillory

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

Opposed: None

Action: Authorized

14. Consider a resolution authorizing the execution of a services agreement (SERV 22-016) received from Luke Applications, LLC for the modification of the District's Luke Work Order System to develop supplemental reports that will use work log data collected in the Work with Luke Application to produce the reports listed below, and also authorize the payment of a one-time fee in the amount of \$15,000 this service:

1. Advance Staffing Temporary Employee Time Logged;
2. Full-Time Employee Time Logged (by job number);
3. Equipment Usage, which includes equipment/truck miles and hours, as well as MS4 Reporting Support; and

Motion made by: Mr. Daleo

Second by: Mr. Kiker

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

Opposed: None

Action: Authorized

15. In connection with the District's GIS System, consider a resolution authorizing the execution of a Professional Services Agreement with LJA Engineering (PROF 22-017) for services related to providing the District with the services listed below on an "as requested" basis:

Item No.	Description	Estimated Cost
01	Ditch Inventory Total inside District Boundary (By Series)	\$ 350
02	Ditch Inventory with ROW/Easement (By Series)	\$ 350
03	Ditch Inventory missing ROW/Easement (By Series)	\$ 350
04	Shapefile of Ditch Centerline broken down by Series	\$ 150
05	Shapefile of Ownership broken down by Series	\$ 150
06	Shapefile of Detention Basins	\$ 150
07	Shapefile of Bridges – DD6 provided locations	\$ 200
08	Shapefile of Flap Gates – DD6 provided locations	\$ 200
09	Shapefile of Screw Gates – DD6 provided locations	\$ 200
10	24 x 36 Portrait Ditch Map	\$1,000
11	DWG in CAD of DD6 Updated System	\$ 350
12	*Map Series	-

*Estimated cost will be supplied upon request.

Motion made by: Mr. Daleo

Second by: Mr. Guillory

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

Opposed: None

Action: Authorized

16. Consider a resolution accepting a "General Warranty Deed" donated by Kojak Company conveying to Jefferson County Drainage District No. 6 three tracts of land out of the Sara Miles Survey, Abstract 172, and one tract out of the Levi Hillebrandt Survey, Abstract 135, Jefferson County, Texas, in connection with drainage improvements along Ditches 502-A2, 502-A2A, and 511-B (Gilbert Lake Estates at IH-10).

Motion made by: Mr. Kiker

Second by: Mr. Daleo

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

Opposed: None

Action: Accepted

17. In connection with drainage improvements along Ditch No. 609-G (south of Hwy-90 in China), consider a resolution accepting a "Drainage Easement" donated by Warren Briggs consisting of the actual width of the aforementioned ditch, including improvements, plus 25 feet of the ditch tops that lie on his property (Maria F. Lazarin Survey, Abstract 36, Jefferson County, Texas).

Motion made by: Mr. Daleo

Second by: Mr. Kiker

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

Opposed: None

Action: Accepted

18. In connection with drainage improvements along Ditch No. 609-G (south of Hwy-90 in China), consider a resolution accepting a "Drainage Easement" donated by Oveal Walker, III, Earl William Walker, and Harold L. Walker consisting of the actual width of the aforementioned ditch, including improvements, plus 25 feet of the ditch tops that lie on their property (Maria F. Lazarin Survey, Abstract 36, Jefferson County, Texas).

Motion made by: Mr. Daleo

Second by: Mr. Kiker

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

Opposed: None

Action: Accepted

19. In connection with drainage improvements along Ditch No. 609-G (south of Hwy-90 in China), consider a resolution accepting a "Drainage Easement" donated by Jarvis Russell and Geri L. Russell consisting of the actual width of the aforementioned ditch, including improvements, plus 25 feet of the ditch tops that lie on their property (Maria F. Lazarin Survey, Abstract 36, Jefferson County, Texas).

Motion made by: Mr. Daleo

Second by: Mr. Kiker

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

Opposed: None

Action: Accepted

20. In connection with drainage improvements along Ditch No. 609-G (south of Hwy-90 in China), consider a resolution accepting a Drainage Easement donated by Eric Payton Brisco, Sr. and wife, Carolyn Brisco, consisting of the actual width of the aforementioned ditch, including improvements, plus 25 feet of the ditch tops that lie on their property (Maria F. Lazarin Survey, Abstract 36, Jefferson County, Texas).

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Accepted

21. In connection with drainage improvements along Ditch No. 609-G (south of Hwy-90 in China), consider a resolution authorizing the execution of a June 2, 2022 "Letter of Agreement" between Jefferson County Drainage District No. 6 and Linda Willis, on file in the District's records, wherein the District will perform certain work on her property in exchange for the conveyance of a Drainage Easement.

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

22. In connection with drainage improvements along Ditch No. 609-G (south of Hwy-90 in China), and pursuant to a Letter of Agreement dated June 2, 2022, consider a resolution accepting a Drainage Easement donated by Linda Willis consisting of the actual width of the aforementioned ditch, including improvements, plus 15 feet of the ditch tops that lie on her property (Maria F. Lazarin Survey, Abstract 36, Jefferson County, Texas).

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Accepted

23. In connection with drainage improvements along Ditch No. 609-H (Benoit Ave. in China), consider a resolution authorizing the execution of a May 25, 2022 "Letter of Agreement" between Jefferson County Drainage District No. 6 and China Cemetery Association, Inc. ("China Cemetery"), on file in the District's records, wherein the District will perform certain work on China Cemetery's property in exchange for the conveyance of a permanent Access Easement.

Motion made by: Mr. Guillory
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

24. In connection with drainage improvements along Ditch No. 609-H (Benoit Ave. in China), and pursuant to a Letter of Agreement dated May 25, 2022, consider a resolution accepting a permanent "Access Easement" donated by China Cemetery Association, Inc. consisting of a 250-ft by 25-ft strip of land out of the Sophia Dean Survey, Abstract 16, Jefferson County, Texas.

Motion made by: Mr. Guillory
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Accepted

25. In connection with the Amelia Cutoff Project/Ditch 100-E, consider a resolution accepting a "Special Warranty Deed" received from Caren Chance Stewart, David Wayne Chance, Ranell Chance Brooks, and Pamela S. Chance consisting of a 3.501-acre tract of land out of the C. Williams Survey, Abstract 59, Beaumont, Jefferson County, Texas; and also authorizing payment to the property owners in the amount of \$21,100 for this deed.

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Accepted

26. Consider a resolution authorizing the execution of a "Pipeline Easement" on Ditch No. 500/Taylor's Bayou to Chevron Phillips Chemical Company (Tract#: TX-JE-2005.001), for a 50-ft wide permanent pipeline easement over and across a portion of a certain tract of land containing 12.111-acre tract in the Elias Stone Survey, A-199, Jefferson County, conveyed to Jefferson County Drainage District No. 6; and also authorizing fees payable to Jefferson County Drainage District No. 6 totaling \$103,536.00 (21.570 rods @ \$1,500 x 3 lines = \$97,065; Temporary Workspace \$100 per rod x 3 lines = \$6,471).

Motion made by: Mr. Guillory
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

27. Consider a resolution authorizing the execution of a "Pipeline Easement" on Ditch 100/Hillebrandt Bayou to Chevron Phillips Chemical Company (Tract#: TX-JE-2097.000) for a 50-ft wide permanent pipeline easement over and across a portion of a certain tract of land containing 316.44-acre tract in the D.H. Barnes Survey, A-741, Jefferson County, conveyed to Jefferson County Drainage District No. 6; and also authorizing fees payable to Jefferson County Drainage District No. 6 totaling \$231,472.00 (144.670 rods @ \$1,500 x 1 line = \$217,005; Temporary Workspace \$100 per rod x 1 line = \$14,467).

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Authorized

28. Consider a resolution approving an "Application and Agreement for Pipeline Permit No. 2022-PL-7," submitted by RTA America, Inc. for the installation of one HDPE conduit containing fiber optic internet cable across Ditch Nos. 500, 500-A, 500-XA, 505-C (Hamshire-Fannett Area), and also authorizing a fee for this permit in the amount of \$1,000 per line for each ditch crossed; \$4,000 total.

Motion made by: Mr. Kiker
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Approved and Authorized

29. Consider a resolution approving an "Application and Agreement for Pipeline Permit No. 2022-PL-8," submitted by Chevron Phillips Chemical Company, LP. for the installation of two lines containing natural gas crossing Ditch No. 504 (Fannett Area), which contains a Special Provisions Addendum giving the applicant 120 days from the granting of the permit to start construction and 480 days to complete the project; and also authorizing a fee for this permit in the amount of \$1,000 per line for each ditch crossed; \$2,000 total.

Motion made by: Mr. Guillory
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Approved and Authorized

30. Consider a resolution approving an "Application and Agreement for Pipeline Permit No. 2022-PL-9," submitted by Chevron Phillips Chemical Company, LP. for the installation of three lines containing natural gas crossing Ditch Nos. 500 and 504 (Fannett area), which contains a Special Provisions Addendum giving the applicant 120 days from the granting of the permit to start construction and 480 days to complete the project; and also authorizing a fee for this permit of \$1,000 per line for each ditch crossed; \$6,000 total.

Motion made by: Mr. Daleo
Second by: Mr. Kiker
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Approved and Authorized

31. Consider a resolution approving an "Application and Agreement for Storm Drainpipe Tie-In Permit No. 2022-SDP-5" submitted by Green Texas Builders for the installation of a single tie-in consisting of one 30" RCP pipe on Ditch No. 106-B (off Cardinal Dr.), and also authorizing a fee for this permit in the amount of \$250.00.

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Kiker
Opposed: None
Action: Approved and Authorized

- I. Board and Staff Comments, no action items.

Mr. Daleo commended the staff for all their hard work, stating that they are doing a great job.

Dr. Majdalani gave the Board a brief update on the status of the Amelia and McLean grant projects.

- J. There was no further business and Mr. Allen called for the adjournment of the meeting.


 Secretary/Asst. Secretary