

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

**HELD ON  
OCTOBER 10, 2023**

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:

Jamar Banks	Safety Coordinator
Doug S Canant, Jr., PE, RPLS	Interim Chief Operating Officer
Shelby Clodfelter	Buyer-Contract Administrator
Kristin Ferguson, CPA	Chief Financial Officer
Jason Jones	Maintenance Coordinator
Paula Karasek	Executive Assistant
Chace Mann	Program and HR Manager
James McDonald	Construction Coordinator
John Murff	Field Operations Manager
Nelson Nixon	Maintenance Specialist
Karen J. Stewart, MBA, CTCD, CTCM	Chief Business Officer
Wallace "Butch" Wilson, PE, CFM	District Engineer

Visitors: Representatives from Griffith Mosley Johnson and Associates  
Judge Carl Griffith, former Mayor Becky Ames, and Megan Gallier

Roland Bieber, Drainage District No. 6 Consultant

C. Mr. Allen led the Pledge of Allegiance.

D. Invocation was given by Mr. Nixon.

At the request of the Board President, Agenda Items 20 and 21 were moved to the beginning of the meeting.

20. At 9:02 a.m. the President called for an Executive Session under Title 5, Subchapter D, of the Government Code, Section 551.0725 of the Government Code, the Texas open meetings law, to deliberate business and financial issues relating to a contract being negotiated.

21. At 10:00 a.m. the Board reconvened in Open Session, and there were no action items as a result of the Executive Session.

- E. Public Comments: Any citizens in attendance were given the opportunity to address the Board of Directors on agenda items or concerns not on the agenda. The District retains the public comment cards reflecting individuals who addressed the Board.

There were no public comments.

- F. Workshop Session

1. There were no easements, street abandonments, or plat review discussions.
2. There were no general discussions or reports on various drainage plans and projects.

- G. The Minutes of September 12, 2023, 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:

1. Consider a resolution authorizing the payment of routine bills received for the month of September 2023, that were not expressly authorized or denied for payment elsewhere on this agenda.

**Motion made by: Mr. Daleo**

**Second by: Mr. Malley**

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

**Opposed: None**

**Action: AUTHORIZED**

2. Acknowledge the receipt and filing of Jefferson County Drainage District No. 6's Investment Schedule for August 31, 2023, pursuant to Section 2256.023 of the Public Funds Investment Act.

**Motion made by: Mr. Kiker**

**Second by: Mr. Malley**

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

**Opposed: None**

**Action: ACKNOWLEDGED**

3. As required by Section 49.455 of the Texas Water Code, consider a resolution authorizing the execution, by a majority of the Board of Directors, of an "Amended Information Form" revised to reflect Drainage District No. 6's adopted tax rate of \$0.192429/\$100 valuation for 2023; which includes an amended "Notice to Purchasers" as required by Section 49.452 of the Texas Water Code; both of which relate to information to be furnished to prospective purchasers of real estate as to the amount of outstanding bonded indebtedness, boundaries, and tax rate of the District.

**Motion made by: Mr. Daleo**

**Second by: Mr. Malley**

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

**Opposed: None**

**Action: AUTHORIZED**

4. Consider a resolution authorizing the execution of an Engagement Letter received from Roland Bieber for consultant services related to tax abatement policies and agreements, with a fee of \$11,250 for the first 50 hours and time in excess of 50 hours billed at \$150/hour.

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

5. Consider a resolution acknowledging receipt of FEMA's approval of an extension request with an amended budget and federal share, and also ratifying the execution of Amendment No. 2 to Jefferson County Drainage District No. 6's TWDB Contract 2000012424/McLean Street FMA Community Flood Mitigation Project extending the Project Completion Date from June 18, 2023 to June 18, 2024 and the Contract Expiration Date from September 16, 2023 to September 16, 2024; and a change in the Total Project Cost from \$4,040,580.00 to \$6,284,575.00.

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

6. Consider a resolution authorizing a Reimbursement Agreement between Drainage District No. 6 and Vector Contracting, Inc. in an amount not to exceed \$17,307.01, in connection with the adjustment of Energy Transfer pipelines needed to accommodate a confluence box called for in the McLean Street FMA Community Flood Mitigation Project's design.

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

7. In connection with drainage improvements along Ditch No. 006 (Central Beaumont), consider a resolution authoring a "Release of a Drainage Easement" on a 30-ft wide strip of land lying in the Noah Tevis Survey, Abstract No. 52, Beaumont, Jefferson County, Texas, in order to accept a 20-ft wide drainage easement received from Hillebrandt Development and Tideland Specialty, Ltd.

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

8. In connection with drainage improvements along Ditch No. 006 (Central Beaumont), consider a resolution accepting a "Drainage Easement" donated by Hillebrandt Development and Tideland Specialty, Ltd. consisting of a 20-ft wide drainage easement situated in the Noah Tevis Survey, Abstract 52 of Jefferson County, Texas.

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

9. Consider a resolution authorizing the execution of a Letter of Agreement between Drainage District No. 6 and the Funchess Family Trust, Jonathan Timothy Funchess, Paul Irion Funchess, Richard Bascom Funchess, and Wanda Jeanette Thompson Dossett (on file in the District's records), wherein Drainage District No. 6 will perform certain work on their property in exchange for the conveyance of a drainage easement along Ditch Nos. 300, 311, 312, and 313 (north of IH-10 and west of Major Dr.).

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

10. In connection with drainage improvements on Ditch Nos. 300, 311, 312, and 313 (north of IH-10 and west of Major Dr.) and under an authorized August 21, 2023 Letter of Agreement, consider a resolution accepting a "Drainage Easement" donated by the Funchess Family Trust, Jonathan Timothy Funchess, Paul Irion Funchess, Richard Bascom Funchess, and Wanda Jeanette Thompson 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 the H.T. B. R.R. Co. Survey, Abstract 665, Section 16 and the H.T. & B. R.R. Co. Survey, Abstract 145, Section 15, Jefferson County, Texas.

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

11. In connection with drainage improvements along Ditch No. 1002-C (north Beaumont), consider a resolution accepting a "Drainage Easement" donated by Praise Christian Center, Inc., consisting of the actual width of the aforementioned ditch, including improvements, plus 25 feet on each side of the ditch tops where the ditch lies on its property located in the Daniel Easley Survey, Abstract 20, Jefferson County, Texas.

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

12. Consider a resolution authorizing the execution of a Letter of Agreement between Jefferson County Drainage District No. 6 and Mei Han and Zheng Z. Tan (on file in the District's records), wherein Drainage District No. 6 will perform certain work on their property in exchange for the conveyance of a drainage easement along Ditch 202-C (Major Dr. & Washington Blvd.).

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

13. In connection with drainage improvements on Ditch No. 202-C (Major Dr. & Washington Blvd.) and under an authorized Letter of Agreement dated September 27, 2023, consider a resolution accepting a Drainage Easement donated by Mei Han and Zheng Z. Tan consisting of the actual width of the aforementioned ditch, including improvements, plus 15 feet of the ditch tops that lie on their property (Chas. Williams Survey, Abstract 59, Jefferson County, Texas).

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

14. In connection with drainage improvements along Ditch 550 series of ditches south of Hwy-73, consider a resolution accepting a Road Access Easement donated by Labelle Properties, Ltd., Deelu Land and Cattle Company Family Limited Partnership, Mary Lou Hebert Green, L.P., Benjamin Chapman Hebert III Revocable Trust, KH Land Company, Ltd., Joe Hebert Property Trust, OEMSEE Surface, LLC, Mixon Surface Interest, Inc., Thomas H. Chapman, Jr. Management Trust, Catherine Ann Chapman Trust, Thomas H. Chapman, III Trust, Sue Ellen Ruggles Trust, Joseph M. Capman Trust, and the Gertrude Mixon Dempsey Heirs, Inc., consisting of an existing road's centerline and 10 feet on either side of that centerline, where the road lies on their properties located in the following surveys and abstracts located in Jefferson County, Texas:

ABSTRACT NO.□	ABSTRACT NAME□	TRACT NO.□
2□	B. Blackman Survey□	Tracts 1 & 2□
31□	A. Hotchkiss Survey□	Tracts 1 to 9, 11 to 16, & 18□
273□	T. & N.O. Railroad, Section 207□	Tract 1□
274□	T. & N.O. Railroad, Section 209□	Tract 1□
275□	T. & N.O. Railroad, Section 211□	Tract 1□
276□	T. & N.O. Railroad, Section 213□	Tract 1□
299□	T. & N.O. Railroad, Section 313□	Tract 1□
322□	T. & N.O. Railroad, Section 287□	Tract 1□
328□	T. & N.O. Railroad, Section 299□	Tract 1□
503□	T. & N.O. Railroad, Section 208□	Tract 1□
504□	T. & N.O. Railroad, Section 210□	Tract 1□
510□	T. & N.O. Railroad, Section 212□	Tract 1□
552□	E.L. & R. Railroad Survey No. 375□	Tracts 1 & 2□
729□	Z.R. Ashbough Survey□	Tract 1□
751□	J.S. Gallier Survey□	Tracts 2, 3, & 4□
768□	A. Oswald Survey□	Tract 1□

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

15. Consider a resolution authorizing the execution of an Interlocal Agreement between Region 8 Education Service Center, a purchasing cooperative agency, and Jefferson County Drainage District No. 6, providing for Jefferson County Drainage District No. 6's participation in the TIPS Purchasing Cooperative (The Interlocal Purchasing System).

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

16. In connection with proposals received for Grant Application Development and Management for 2023 Funding of HMGP, BRIC, and/or FMA for Jefferson County Drainage District No. 6 (RFP 23-010/KJS), opened on September 19, 2023, and pursuant to the authority granted to the Chief Operating Officer on August 8, 2023, consider a resolution, made in accordance with the evaluation committee's recommendation, ratifying an Award and Execution of a Contract on October 3, 2023 with JSW & Associates, with the executed contract attached hereto.

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

17. In connection with the term contract for Herbicides for Jefferson County Drainage District No. 6 (IFB 23-002/SC) awarded on April 26, 2023, consider a resolution authorizing the execution of the first of four 6-month renewal options with Helena Agri-Enterprises, LLC., Red River Specialties, LLC., SiteOne Landscapes, and Spurger Aviation, extending their contract expiration dates from October 25, 2023 to April 24, 2024.

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

18. Consider a resolution authorizing the execution of an "Application and Agreement for Pipeline/Utility Permit No. 2023-PL-10" submitted by Energy Transfer Pipeline requesting permission to perform maintenance on their pipeline located on Ditch No. 607 (Meeker Road area); and also authorizing a fee of \$500.00 associated with this permit.

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

19. Consider a resolution authorizing the execution of an "Application and Agreement for Pipeline/Utility Permit No. 2023-PL-11" submitted by ExxonMobil Pipeline Company, LLC requesting permission to perform maintenance on four of their pipelines located on Ditch Nos. 104-B, 106, and 107 (Erie Street area); and also authorizing a fee of \$2,000.00 associated with this permit.

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

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

Mr. Daleo reported that he has been seeing positive comments on neighborhood social media pages regarding the District's prompt response to citizen concerns. He thanked everyone for their hard work and dedication.

In connection with the pending Bayou Din Grant Project, Mr. Allen reported that since the last meeting, he has spoken with the County Judge who has arranged a meeting with Goodyear to discuss their participation in the matching funds.

- J. There were no other comments and Mr. Allen called for the adjournment of the meeting.

  
Secretary/Asst. Secretary