

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

**HELD ON
AUGUST 8, 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
Charles "Chuck" Guillory	Secretary
Bernie Daleo	Vice President
Anthony "Tony" Malley, III	Director
Charles "Chuck" Kiker, III	Director

Directors: None

Staff present:

Darin Auer	Fleet/Shop Supervisor
Jamar Banks	Safety Coordinator
Doug S Canant, Jr., PE, RPLS	Interim Chief Operating Officer
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
Kaylynn Rizzotto	Payroll & Benefits Administrator
Wallace "Butch" Wilson, PE, CFM	District Engineer

Visitors: Hubert Oxford IV – Benckenstein & Oxford, L.L.P.

David Tingle – City of Beaumont

Kevin Carmon and Ronnie Carmon – Residents of Cheek

Karl Deshotel – Beaumont Resident.

C. Mr. Allen led the Pledge of Allegiance.

D. Invocation was given by Mr. Nixon

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. Budget Workshop: Mr. Canant opened the discussion by briefing the Board on the District's performance up to this point and projections for the next year, including future grant and CO₂ sequestration opportunities. Mr. Canant turned the floor over to Mrs. Ferguson who went over some key points on the budget such as revenue and expenditure highlights and the proposed property tax rate. The floor was then turned over to Mr. Murff, Mr. Jones, and Mr. Auer, who briefed the board on ongoing and future projects, maintenance operations, and the District's equipment fleet.

2. There were no easements, street abandonments, or plat review discussions.
 3. There were no general discussions or reports on various drainage plans and projects.
- G. The Minutes of July 11, 2023, were approved on a motion made by Mr. Daleo, seconded by Mr. Malley, 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 months of July 2023, 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. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
 2. Consider a resolution approving the District's 2023 proposed tax rate of \$0.192429/\$100 valuation as distributed below:

<u>Proposed tax rate of \$0.192429/\$100 valuation:</u>	
Maintenance and Operating:	\$0.192429/\$100 valuation
TOTAL PROPOSED TAX RATE	
FOR 2023	\$0.192429 /\$100 valuation
TOTAL ACTUAL TAX RATE	
FOR 2022	\$ <u>0.202572</u> /\$100 valuation
TOTAL DECREASE	
OVER LAST YEAR'S RATE	\$0.010143/\$100 valuation

Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: APPROVED
 3. Consider a resolution setting a Public Hearing on Jefferson County Drainage District No. 6's proposed tax rate for 2023 of \$0.192429 per \$100 valuation for 9:00 a.m. on Tuesday, September 12, 2023.
Motion made by: Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
 4. Consider a resolution authorizing the casting of Jefferson County Drainage District No. 6's 173 votes for Lauren Williams Mason, one of the Conservation and Reclamation Districts' nominees for Jefferson Central Appraisal District Board's 2024 – 2025 term of office.
Motion made by: Mr. Guillory
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

5. Consider a resolution authorizing the execution of a "Disclaimer of Interest" in Cause No. 138152, The State of Texas vs. Richmond O. Bennett, III et al., in connection with Condemnation Proceedings filed in the County Court of Law No. 1, Jefferson County, Texas.
- Motion made by:** Mr. Kiker
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
6. Subject to final approval by the District's Legal Counsel and the Chief Operating Officer, consider a resolution authorizing the execution of an Engagement Letter with Benckenstein & Oxford, L.L.P. for services related to negotiations for CO₂ Sequestration Agreements/Leases on behalf of Drainage District No. 6.
- Motion made by:** Mr. Kiker
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
7. In connection with emergency repairs to the drainage infrastructure under Evalon Street in the Calder Place Subdivision, consider a resolution authorizing the execution of an "Interlocal Agreement" (on file in the District's records) between the City of Beaumont ("City") and Drainage District No. 6 ("District"), wherein the City has agreed to secure the necessary repairs and the District has agreed to reimburse the City for 50% of the repair costs in an estimated amount not to exceed \$189,645.00.
- Motion made by:** Mr. Kiker
Second by: Mr. Daleo
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
8. In connection with the inspection of a 102-in culvert on Ditch 005, located between the Port of Beaumont and the ExxonMobil Plant, consider a resolution authorizing the execution of an "Interlocal Agreement" (on file in the District's records) between the City of Beaumont ("City") and Drainage District No. 6 ("District"), wherein the City has agreed to procure an inspector and oversee the culvert inspection, and the District has agreed to reimburse the City for 50% of the inspection costs in an estimated amount not to exceed \$20,000.00.
- Motion made by:** Mr. Daleo
Second by: Mr. Malley
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED
9. Consider a resolution authorizing the execution of a July 18, 2023 "Letter of Agreement" (on file in the District's records) with Charles Daniels and Frank Daniels, in exchange for the conveyance of a Drainage Easement on their property along Ditches 1207-B and 1207-B1 (Old Grayburg Rd. & Hwy-90, Nome).
- Motion made by:** Mr. Daleo
Second by: Mr. Guillory
In favor: Mr. Allen, Mr. Guillory, Mr. Daleo, Mr. Malley, Mr. Kiker
Opposed: None
Action: AUTHORIZED

10. Pursuant to a July 18, 2023 Letter of Agreement, consider a resolution accepting a "Drainage Easement" donated by Charles Daniels and Frank Daniels, consisting of the actual width of Ditches 1207-B and 1207-B1 plus 25 feet on each side of the ditch tops where the ditches lie on their property located in the August Reuss Survey, Abstract 195, Jefferson County, Texas.

Motion made by: Mr. Guillory

Second by: Mr. Daleo

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

Opposed: None

Action: ACCEPTED

11. In connection with the re-bid for the Relocation of Water and Sanitary Sewer Utilities for the McLean Street Project (IFB 22-029/KJS) funded by an FMA grant, and awarded to MK Constructors on January 10, 2023, in the amount of \$396,254.78, this agenda item is to correct the amount of Change Order No. 1 to reflect the summation of the items that are shown to be increased and decreased from (\$8,990.00) to (\$6,050.00), resulting in a new contracted amount of \$390,204.78.

Motion made by: Mr. Guillory

Second by: Mr. Kiker

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

Opposed: None

Action: ACKNOWLEDGED CORRECTION

12. In connection with the re-bid for the Relocation of Water and Sanitary Sewer Utilities for the McLean Street Project (IFB 22-029/KJS) funded by an FMA grant, and awarded to MK Constructors on January 10, 2023, in the amount of \$396,254.78, consider a resolution approving and authorizing the execution of Change Order No. 2 to adjust various items to reflect actual quantities used in the completion of the project; for an increase of \$6,018.00, resulting in a new contract amount of \$396,222.78.

Motion made by: Mr. Malley

Second by: Mr. Daleo

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

Opposed: None

Action: AUTHORIZED

13. In connection with an Invitation for Bids for the Term Contract for Oil and Lubricants (IFB 23-011/SC), consider a resolution granting the Chief Operating Officer the authority to award and execute Acceptance of Offer(s) to bidders representing the best value for the District, with ratification of the award(s) and Acceptance of Offer execution(s) at the meeting following same.

Motion made by: Mr. Guillory

Second by: Mr. Daleo

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

Opposed: None

Action: AUTHORITY GRANTED

14. In connection with a Request for Proposals for Grant Administration and Management Services for Hazard Mitigation Assistance)-Building Resilient Infrastructure and Communities (BRIC) Funds 2023, Flood Mitigation Assistance (FMA) Grant Funds 2023, and Hazard Mitigation Grant Program (HMGP)2023. (RFP 23-010/KJS), consider a resolution granting the Chief Operating Officer the authority to award and execute Acceptance of Offer(s) to proposers representing the best value for the District, with ratification of the award(s) and Acceptance of Offer execution(s) at the meeting following same.

Motion made by: Mr. Daleo

Second by: Mr. Malley

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

Opposed: None

Action: AUTHORITY GRANTED

15. Contingent upon receipt of the permit fee, consider a resolution authorizing the execution of an "Application and Agreement for Pipeline/Utility Permit No. 2023-PL-9" submitted by ExxonMobil Pipeline Company, LLC requesting permission to perform maintenance on three of their pipelines (10-in, 16-in, and 6-in) located on Ditch No. 100/Hillebrandt Bayou; and also authorizing a fee of \$500.00 associated with this permit.

Motion made by: Mr. Guillory

Second by: Mr. Kiker

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

Opposed: None

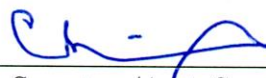
Action: AUTHORIZED

- I. Members of the Board complimented the staff and crews on all the work that has been accomplished during this period of dry weather, and what a great job everyone is doing.

Mr. Allen briefed the Board and Staff on a meeting he attended at the City Manager's office, accompanied by Mr. Canant and a representative from Schaumburg & Polk, Inc. on August 7, 2023. The discussion concerned the possibility of the City contributing funds toward the District's Corely Diversion Project, which offers many benefits to the City.

Mr. Canant advised the Board that Senator Robert Nichols (District 3) will be visiting the District on August 8, 2023, to get an update on the District's projects, grants, etc. since his prior visit.

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



Secretary/Asst. Secretary