

GALVESTON COUNTY DRAINAGE DISTRICT NO. 2
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING
February 8, 2023

The Board of Directors (the "Board" or "Directors") of Galveston County Drainage District No. 2 (the "District") met in regular session on the 8th day of February, 2023 at 4:00 p.m., in the meeting room of the District at 5000 F.M. 1765, La Marque, Texas 77568, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code, whereupon the roll was called of the members of the Board, to-wit:

Jack Ellison, Jr.	Director
Wayne Hobgood	Director
Angel Murphy	Director

All members of the Board were present, thus constituting a quorum. Also attending the meeting were: Mr. Landry Cravens ("District Manager"); Mr. Dean Oliver, Assistant Manager; Ms. Eva Livy ("Office Administrator"); Ms. Candace Wanen, District office assistant; Ms. Monica A. Garza, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"); Mr. Steve Haskins of Protocol Bookkeeping, Inc.; Mr. Stephen Wilcox, P.E. of Costello, Inc.; Officer Stephen Leacroy; Mr. Tony Sekay, representative of Texas CLASS; Mr. Mike Weir; representative of Amegy Bank of Texas; and Ms. Carol Jackson, resident of the District. A copy of the sign-in sheet is attached hereto.

1. Call Meeting to Order.

Director Hobgood, after finding that notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order at 4:00 p.m. and declared it open for such business as may regularly come before it.

2. Public Comments.

There being no public comments, the Board proceeded with the agenda.

3. Minutes of November 8, 2022 and January 11, 2023 Regular Meeting.

The Board then considered approval of the minutes from the regular meeting of November 8, 2022 and January 11, 2023. Upon a motion by Director Hobgood, seconded by Director Murphy, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes from the regular meeting of January 11, 2023, as presented, and table the approval of the minutes of from the regular meeting of November 8, 2022 until a future Board meeting.

4. Old Business.

Mr. Cravens then reported that he, Ms. Livy and Director Murphy have taken a Records Management Officer course and that Mr. Cravens and Ms. Livy have also taken a Public Information Act ("PIA") course. Mr. Cravens recommended that the Board appoint Ms. Livy, in her capacity as Office Administrator, as the District's Records Management Officer. Upon a motion by Director Murphy, seconded by Director Hobgood, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Resolution to Name Eva Livy as Records Management Officer for the District.

Mr. Cravens then reported that the District has been receiving a higher than usual amount of PIA requests and would like to impose the applicable fees allowed by the PIA. Director Hobgood then stated that once the District website has been updated with additional information such as minutes and agendas, the amount of PIA requests should be alleviated. Ms. Livy then informed the Board that she is coordinating to have a PIA Request Form and information regarding applicable fees posted on the District's website. Upon a motion by Director Hobgood, seconded by Director Ellison, after full discussion and the question being put to the Board, the Board voted unanimously to implement fees on PIA requests in accordance with the PIA.

5. New Business

Discussion ensued regarding approval for change of the District's seal/logo. Upon a motion by Director Hobgood, seconded by Director Murphy, after full discussion and the question being put to the Board, the Board voted unanimously to change the District's seal and logo as presented.

Director Hobgood and Mr. Cravens then reviewed with the Board the history of the District's first employee, Earnest Solomon and stated that Mr. Solomon was first hired in 1962, was Mr. Cravens grandfather and was an exemplary employee until his retirement. Discussion then ensued regarding honoring Mr. Solomon by renaming Ditch No. 6A to the Earnest Solomon Bayou. Upon a motion by Director Murphy, seconded by Director Hobgood, after full discussion and the question being put to the Board, the Board voted unanimously to change the name of Ditch No. 6A to the Earnest Solomon Bayou.

6. Bookkeeping Report.

Mr. Haskins then presented the Resolution Authorizing Participation in TexPool Investment Pools and Designating Authorized Representatives and the TexPool Investment Pools Participation Agreement. Mr. Haskins introduced Mr. Sekay and Mr. Weir. Mr. Sekay proceeded to explain the difference between TexPool and Texas CLASS. In response to a question from Director Hobgood regarding the interest rates for Texas CLASS, Mr. Sekay explained that the interest rate is based on the federal interest rate. Ms. Garza then stated that both TexPool and Texas CLASS required the District's Investment Policy which she has not yet received from the District's previous counsel or District staff.

Mr. Cravens then recommended the Board approve issuing a consortium card with Amegy Bank. Mr. Weir explained that such consortium card acts as a credit card with an approved limit and would be issued to authorized users only upon the need to use such card such as when attending conferences. Mr. Weir explained that the District would incur no liability if such card was lost or stolen. Extensive discussion then ensued regarding same. Ms. Garza recommended that if the Board approve issuing a consortium card, the District also adopt an Order Adopting Credit Card and Purchasing Policy.

Mr. Haskins then presented the Bookkeeper's Report for February 2023. Mr. Haskins reviewed the District's budget for the Fiscal Year Ending ("FYE") September 30, 2023 and the year to-date expenses incurred by the District, a copy of which is attached hereto.

Regarding Ditch Nos. 6, 8 and 9 accounts, Mr. Haskins recommended setting up a TexPool/TexClass investment account to earn interest on such funds.

Discussion then ensued regarding corrections to commissioner fees of office on the District

budget.

Director Hobgood then noted that check nos. 21185 and 21182 presented for approval need to be voided and that check no. 21179 needs to be held to review the invoice for same.

Upon a motion by Director Hobgood, seconded by Director Murphy, after full discussion and the question being put to the Board, the Board voted unanimously to: (1) approve the bookkeeper's report; (2) approve the Resolution Authorizing Participation in TexPool and Designating Authorizes Representatives; and (3) approve the Resolution Authorizing Participation in Texas CLASS and the Trust Agreement for same.

7. **Engineer's Report.**

Regarding the Ditch No. 6/6E1 Marlow Lakes mass grading, Mr. Wilcox reviewed a recommendation for approval of the construction plans submitted by IDS engineering for Marlow Lakes North.

Regarding the Ditch No. 6E1 abandonment, Mr. Wilcox reported that once the Board approves the recommendation of the mass grading for Marlow Lakes North he will recommending abandoning and removing Ditch 6E1 from the District's map.

Regarding the Ditch No. 5 Watershed Study, Mr. Wilcox stated that he will have a preliminary model to present to the Board at the March 8th meeting at which time he will also present recommendation on improvements to the District's facilities.

Upon a motion by Director Hobgood, seconded by Director Murphy, after full discussion and the question being put to the Board, the Board voted unanimously to approve the engineer's report.

Bookkeeping Report, continued.

Upon a motion by Director Murphy, seconded by Director Hobgood, after full discussion and the question being put to the Board, the Board voted unanimously to approve payment of the bills presented for approval with the exception of check nos. 21185 and 21182 which should be voided and check no. 21179, subject to review of the invoice for same.

8. **District Manager's Report.**

Mr. Oliver reported that various District employees attended a pipeline class regarding 811 and digging and would be attending a spray herbiciding licensing class as well.

Mr. Oliver next reported the District is still awaiting roofing material from R&M Services for the roof replacement project.

Mr. Oliver noted that all employees had reviewed and executed the Personnel Policy approved at the January Board meeting.

Mr. Oliver also noted that impact fees need to re-evaluated and that a maintenance operator has been employed.

Mr. Oliver then reviewed the following quotes received for the purchase of a new excavator for ditch maintenance: (1) ROMCO Equipment Co. in the amount of \$326,543.00 (including the

trade-in equipment) with three (3) years of warranty; (2) Nueces Power Equipment in the amount of \$207,409.00 (including the trade-in equipment) with five (5) years of warranty; and (3) Mustang CAT in the amount of \$419,278.73 (including the trade-in equipment) with seven (7) years of warranty. Extensive discussion ensued regarding the quotes. It was the recommendation of Mr. Cravens and Mr. Oliver for the District to purchase the new excavator from Mustang CAT.

Upon a motion by Director Hobgood, seconded by Director Ellison, after full discussion and the question being put to the Board, the Board voted two (2) votes in favor and one (1) abstention, with Director Murphy abstaining, to approve the purchase of the new excavation equipment from Mustang CAT in the amount of \$295,181.44 (including the trade-in equipment) with seven (7) years of warranty.

9. Directors' Reports.

Director Ellison reported that there is ongoing construction near Ditch 10c and would like to know who is responsible for maintenance of Ditch 10c. Mr. Wilcox then stated he would investigate if the District has an easement for maintenance of Ditch 10c.

10. Executive Session.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.074 regarding personnel matters, Director Hobgood convened the Board in Executive Session at 6:40 p.m. The persons participating in the Executive Session were all the members of the Board present, Mr. Cravens, and Ms. Garza.

Reconvene in Open Session.

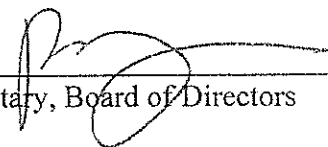
Director Hobgood then reconvened the meeting in open session at 7:08 p.m.

11. Adjournment.

There being no further business to come before the Board, the Board meeting was adjourned at 7:08 p.m.

PASSED, APPROVED and ADOPTED this the 8th day of March, 2023.





Secretary, Board of Directors

CITIZENS ATTENDANCE

2/8/23 Regular Meeting

1. Carol Johnson

2. Stephanie Tabor

3. Tony Sekaly - Texas CLASS

4. Mike Weiss - Amegy Bank

5.

6.

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9.

10.

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §

COUNTY OF GALVESTON §

GALVESTON COUNTY DRAINAGE DISTRICT NO. 2 §

I, the undersigned Secretary of the Board of Directors (the "Board") of Galveston County Drainage District No. 2 (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 8th day of February, 2023, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

Jack Ellison, Jr.	Director
Wayne Hobgood	Director
Angel Murphy	Director

All members of the Board were present thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

ORDER ESTABLISHING A RECORDS MANAGEMENT PROGRAM AND DESIGNATING A RECORDS MANAGEMENT OFFICER

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of said Order, prevailed and carried by the following vote:

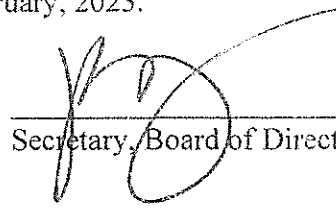
AYES: 3 NOES: 0

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED the 8th day of February, 2023.

(DISTRICT SEAL)




Secretary, Board of Directors

**ORDER ESTABLISHING A RECORDS MANAGEMENT PROGRAM AND
DESIGNATING A RECORDS MANAGEMENT OFFICER**

THE STATE OF TEXAS

§

COUNTY OF GALVESTON

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GALVESTON COUNTY DRAINAGE DISTRICT NO. 2

§

WHEREAS, the Texas Local Government Records Act, Title 6, Subtitle C, Local Government Code (the "Code"), provides that each local government must establish an active and continuing records management program by ordinance, order, or resolution to be administered by a Records Management Officer; and

WHEREAS, Galveston County Drainage District No. 2 (the "District") is a local government subject to the Code, and the Board of Directors (the "Board") of the District now desires to adopt this Order Establishing a Records Management Program and Designating a Records Management Officer (the "Order") for the purpose of complying with the Code and to prescribe policies and procedures consistent with the Code for the effective and efficient retention of all District records.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF GALVESTON COUNTY DRAINAGE DISTRICT NO. 2 THAT:

SECTION 1. DEFINITION OF RECORDS OF THE DISTRICT. All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information-recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the State, created or received by the District or any of its officers or employees pursuant to law or in the transaction of public business, are declared to be the records of the District and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

SECTION 2. RECORDS DECLARED PUBLIC PROPERTY. All records as defined in Section 1 of this Order are declared to be the property of the District. No official or employee of the District has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 3. POLICY. It is declared to be the policy of the District to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Code and accepted records management practice. This policy shall apply to all directors, employees, agents, independent contractors, and volunteers of the District.

SECTION 4. RECORDS MANAGEMENT OFFICER. The District's Office Administrator, Ms. Eva Livy, will serve as the Records Management Officer for the District as provided by law and will develop policies and procedures to ensure that the maintenance, preservation, security, destruction, electronic storage, and other disposition of the records of the District are carried out in accordance with the requirements of the Code. The Records Management Officer shall work with the District's officers, employees and consultants to retain all District Records pursuant to this Order.

SECTION 5. RECORDS CONTROL SCHEDULES. Pursuant to Section 203.041(a) of the Code, the District hereby adopts the following records retention schedules issued by the Texas State Library and Archives Commission (the "Commission") for use in the District's records management program:

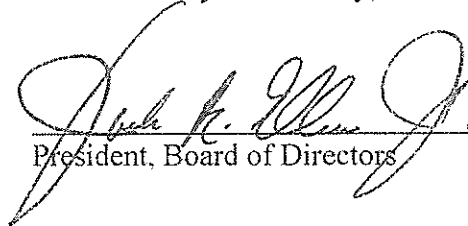
- i. Local Schedule GR: Records Common to All Governments ("Exhibit A");
- ii. Local Schedule EL: Records of Elections and Voter Registration ("Exhibit B");
- iii. Local Schedule PW: Records of Public Works and Services ("Exhibit C");
- iv. Local Schedule TX: Records of Property Taxation ("Exhibit D");

The Records Management Officer shall prepare amendments to the schedules as needed to reflect new records created or received by the District or revisions to retention periods established in a records retention schedule issued by the Commission which shall be reviewed and approved by the Board of the District as necessary. Any destruction of records of the District will be in accordance with these schedules and the Code.

SECTION 6. DECLARATION OF COMPLIANCE. In accordance with the requirements of Section 203.041(a)(2) of the Code, the Board of the District hereby authorizes and directs the District's Records Management Officer to file a Declaration of Compliance with the Records Scheduling Requirement of the Code (the "Declaration of Compliance") with the Commission, certifying that the District has adopted Commission Schedules which comply with the minimum requirements established on records retention schedules issued by the Commission for use in the District's records management program.

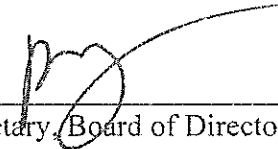
BE IT ORDERED BY THE BOARD OF DIRECTORS OF GALVESTON COUNTY
DRAINAGE DISTRICT NO. 2 OF GALVESTON COUNTY, TEXAS:

PASSED, ADOPTED AND ORDERED this 8th day of February, 2023.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)



EXHIBIT A

Local Schedule GR: Records Common to All Governments

EXHIBIT B

Local Schedule EL: Records of Elections and Voter Registration

EXHIBIT C

Local Schedule PW: Records of Public Works and Services

EXHIBIT D

Local Schedule TX: Records of Property Taxation

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §

COUNTY OF GALVESTON §

GALVESTON COUNTY DRAINAGE DISTRICT NO. 2 §

I, the undersigned Secretary of the Board of Directors (the "Board") of Galveston County Drainage District No. 2 (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 8th day of February, 2023, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

Jack Ellison, Jr.	Director
Wayne Hobgood	Director
Angel Murphy	Director

All members of the Board were present except none thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

**ORDER RENAMING DISTRICT DITCH 6A TO
EARNEST SOLOMON BAYOU**

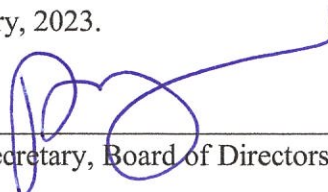
was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of said Order, prevailed and carried by the following vote:

AYES: 3 NOES: 0

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED the 8th day of February, 2023.

(DISTRICT SEAL)



Secretary, Board of Directors

**ORDER RENAMING DISTRICT DITCH 6A TO
EARNEST SOLOMON BAYOU**

**THE STATE OF TEXAS
COUNTY OF GALVESTON**

GALVESTON COUNTY DRAINAGE DISTRICT NO. 2

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WHEREAS, Galveston County Drainage District No. 2 (the "District") is a drainage district created and operating under Article XVI, Section 59, of the Texas Constitution and Chapters 49 and 56 of the Texas Water Code; and

WHEREAS, the District was created and organized for the purposes, among others, of controlling and supervising the construction and maintenance of canals, drains, ditches and levees, and other improvements of the District and keep such facilities in repair; and

WHEREAS, pursuant to Section 56.115, Texas Water Code, the District, through the District's Engineer, is required to prepare maps and profiles of the canals, drains, ditches and levees located in the District and their outlets extending beyond the boundaries of the District; and

WHEREAS, the District has and currently maintains Ditch 6A, which lies within the District's Ditch 6 Watershed and as depicted in the map attached as **Exhibit A**; and

WHEREAS, Mr. Earnest Solomon was the District's first employee and dedicated many years of serve to the District; and

WHEREAS, the Board of Directors of the District desires to rename Ditch 6A to the "Earnest Solomon Bayou" in honor of Mr. Earnest Solomon who passed away on March 3, 2003.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF GALVESTON COUNTY DRAINAGE DISTRICT NO. 2 THAT:

1. The recitals contained herein above are found to be true and correct.
2. The District hereby renames Ditch 6A within the District's Ditch 6 Watershed to the "Earnest Solomon Bayou."
3. This Order shall be effective immediately upon its adoption.

[EXECUTION PAGES FOLLOW]

PASSED, ADOPTED AND ORDERED this 8th day of February, 2023.



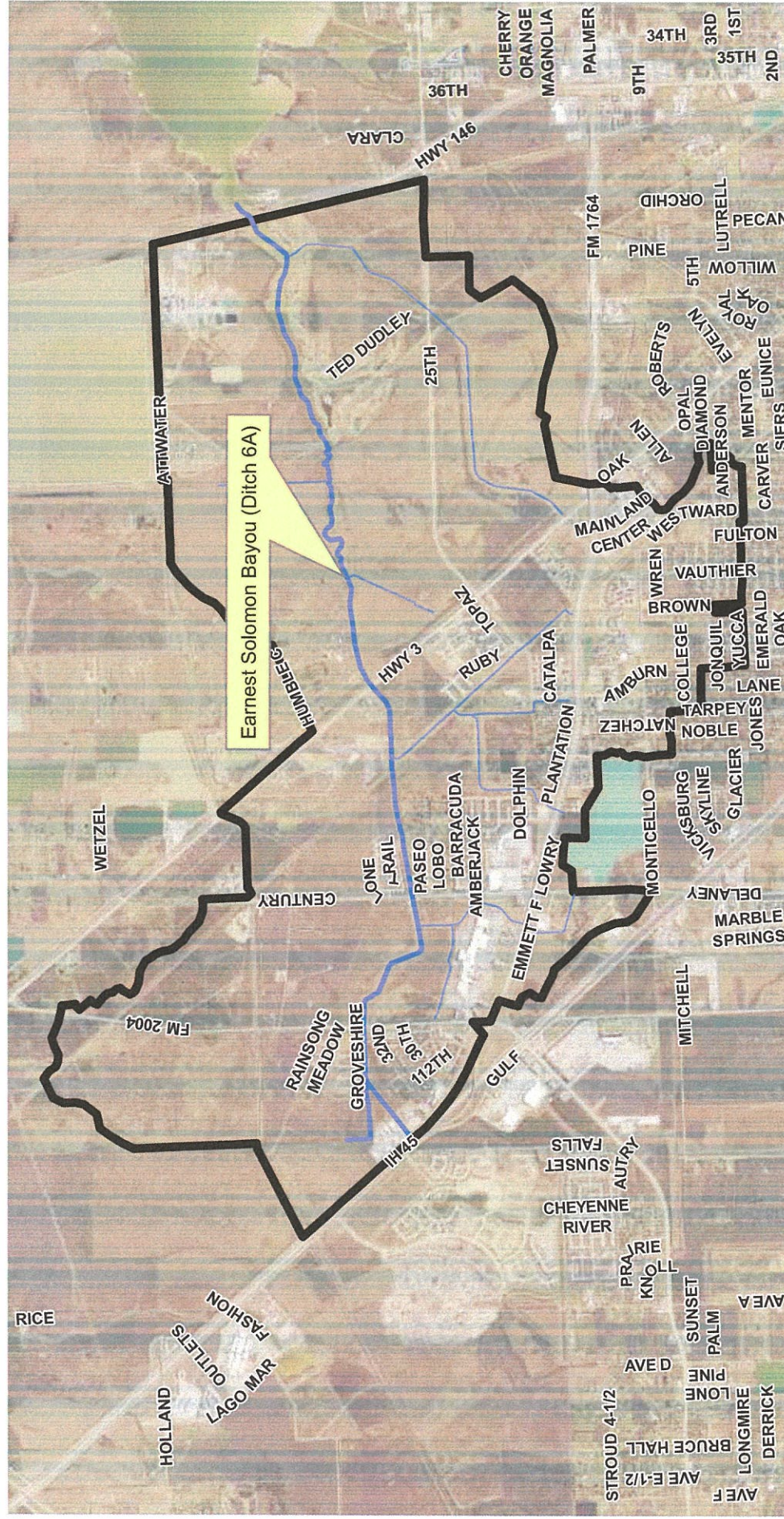
President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)



Legend

- Ditch 6 Centerlines
- Ditch 6A
- Ditch 6 Watershed



0 4,000

Feet

 $1 \text{ in} = 4,000 \text{ ft}$ 

Costello, Inc.
Engineering and Surveying
TBPE Firm Registration No. 280

**GCDD2 DITCH 6A RENAMING TO
EARNEST SOLOMON BAYOU**

DITCH 6 WATERSHED MAP

JOB NO.: 1991007

DATE: FEB 2023 BY: AKR

EXHIBIT 1