

# NOTICE OF MEETING AND AGENDA

#### BOARD OF COMMISSIONERS FOR DRAINAGE DISTRICT NO. 3 JEFFERSON COUNTY, TEXAS

#### MAY 10, 2023

7:30 A.M.

Notice is hereby given that the Board of Commissioners of Jefferson County Drainage District No. 3 will meet at 7:30 a.m., on the **10TH of MAY 2023**, at its regular meeting place in the District's Office, 24460 Hwy 124, Hamshire, Texas.

Said meeting will be a Regular meeting for the purpose of transacting the routine business of the District.

#### I. Call to order and take roll.

#### II. Announcement:

This Commissioner's meeting is being recorded for the purpose of transcribing minutes.

#### III. Public Comments

At this time, the Board will listen to comments from the public and others regarding both agenda action items and items that are not on the agenda. No action may be taken on non-agenda items. Public participation is limited to the designated open forum portion of a regular meeting. No presentation shall exceed a maximum of five minutes. Delegations of more than five persons shall appoint one person to present their views before the Board. COMPLAINTS AGAINST SPECIFIC EMPLOYEES OR INDIVIDUALS ARE NOT ALLOWED. THESE COMPLAINTS ARE COVERED BY A SEPARATE POLICY. Members of the public will not be allowed to offer comments on agenda action items when that item is on the floor for discussion unless requested to do so by the Chairman of the Board. This audience participation period is not the appropriate means for bringing complaints for which resolution is sought.

#### IV. Approve Minutes from APRIL 19, 2023 meeting.

#### V. Office Update

- A. Review and Accept Regular District Bills April 30 to May 15, 2023
- B. Review and Accept Monthly Financial Reports
- C. Review and Accept Monthly Insurance Summary

D. Consider and Approve the District allow Melinda Smith with Traylor & Associates to pursue grant cost share opportunities.

- E. Consider and Approve a budget amendment to create a line item for grant share payments
- F. Consider and Approve to change the District's Website Host to Streamline.com.

G. Announcement of an executive (closed) session pursuant to Texas Government Code Section § 551.074 regarding personnel. Should any final action, decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then the final action, or final vote shall be either: (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or

(b) at a subsequent public meeting of the Commissioners upon notice thereof; as the Commissioners shall determine.

#### VI. Equipment/Project Update

#### A. Equipment Update

3. Discuss & Possibly Approve the purchase of a new Kubota Tractor through the Texas Buy Board Program

#### B. Project Update

#### **Projects Completed**

1. D. Elrod – Hwy 124

#### VI. Equipment/Project Update (cont.)

- B. Project Update
  - **Projects in Progress**
  - 1. D. Clubb Big Hill Rd
  - 2. P. Deiss / Hebert Shellhammer Rd
  - 3. A. Permenter Needmore Rd

#### **Upcoming Projects**

- 1. D. Phend Hwy 73
- 2. R. Byerly Englin Rd

#### VII. New Business

- A. Meeting Updates
- B. Board Comments
- C. Set Next Meeting Date

If, during the course of the meeting covered by this Notice, the Board of Commissioners should determine that a closed or executive meeting or session of the Board of Commissioners is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Commissioners at the date, hours, and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Commissioners may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes: Texas Government Code Section:

551-074 Discuss personnel or to hear complaints against personnel.

551-084 Excluding witnesses from a hearing.

Should any final action, decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then the final action, or final vote shall be either:

(a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or

(b) at a subsequent public meeting of the Commissioners upon notice thereof; as the Commissioners shall determine.

#### The notice for this meeting was posted in compliance with the Texas Open Meeting Act on May 4, 2023.

By: Frank R. Rose, Chairman

I, the undersigned County Clerk of Jefferson County, do hereby certify that the above Notice of Meeting of the Jefferson County Drainage District No. 3 Board of Commissioners, is a true and correct copy of said Notice, and that I received and posted said Notice on the Courthouse Doors and the bulletin board at the Courthouse of Jefferson County, Texas, at a place readily accessible to the general public at all times on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_at\_\_\_\_.m. and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. By:\_\_\_\_\_

Jefferson County Clerk

Return File Copy To: Jefferson County Drainage District No. 3, P.O. Box 388, Hamshire, TX 77622

## DRAINAGE DISTRICT NO. 3 Jefferson County, Texas

## MINUTES OF MEETING

## MAY 10, 2023

7:30 A.M.

A meeting was held May 10, 2023, at 7:30 A.M. in the District's office located at 24460 Hwy 124, Hamshire, Texas. Present were Chairman Frank R. Rose and Commissioner Joel Levingston, Jr. Absent was Secretary Reggie Boykin

- 1. Meeting was called to order at 7:30 A.M. by Chairman Frank R. Rose.
- 2. He announced that this meeting was being recorded for the purpose of transcribing the minutes.
- 3. There were no Public Comments

4. The Minutes of April 19, 2023 meeting were approved on a motion made by Commissioner Levingston and seconded by Chairman Rose. All voted Aye.

5. Office Update -

A. Commissioners reviewed and accepted the Districts' regular checks written April 30, 2023 to May 15, 2023. Motion was made by Commissioner Levingston, seconded by Chairman Rose. All voted Aye.

B. Commissioners reviewed and accepted the monthly financial report presented by Shanna Verret which showed an ending fund balance of \$1,672,698.03 a decrease of \$45,009.91 from last month. Motion was made by Commissioner Levingston and seconded by Chairman Rose. All vote Aye

- C. No monthly insurance summary was presented.
- D. Commissioners considered and approved to allow Melinda Smith with Taylor & Associates to pursue grants for the District and to consider some cost share grants. Motion made by Commissioner Rose and seconded by Commissioner Levingston. All voted Aye.
- E. Motion made by Chairman Rose and seconded by Commissioner Levingston to table a budget amendment to create a line item for grant cost share program.

F. After a presentation by Shanna Verret a motion was made by Commissioner Levingston and seconded by Chairman Rose to allow Mrs. Verret to proceed with changes to the District's website and begin using the new web host, Streamline.com. All voted Aye

G. There was no executive session.

## 6. Equipment/Project Update --

A. Equipment Update

1. After a discussion the Board suggested that General Manager, Ruffus Lavergne go out for bids for a new 100hp tractor for the District.

#### B. Project Update -

## Projects Completed -

- a) D. Elrod Hwy 124
- b) P. Deiss/Hebert Shellhammer Rd
- c) A. Permenter Needmore Rd

#### Projects in Progress -

a) D. Clubb – Big Hill Rd

#### Upcoming Projects -

- a) D. Phend Hwy 73
- b) R. Byerly Englin Rd
- c) V. Wright Vincent Rd
- d) B. Bundick Vincent Rd

## DRAINAGE DISTRICT NO. 3 Jefferson County, Texas

# MINUTES OF MEETING

## MAY 10, 2023

7:30 A.M.

## 6. Equipment/Project Update - (cont)

#### **Upcoming Projects – Cont**

e) B. Fischer – Wise Rd

8. New Business

A. Meeting updates -

1. TWCA – Safety Inspector, Hunter Ramsey – May 4<sup>th</sup> – Advised to purchase a flammable cabinet for the shop and to begin doing Vehicle Inspection Reports on vehicles and trailers.

2. Ruffus and Richard met with Gabe Goss, Co. GIS Engineer, to update and number ditches within our District on May 9, 2023.

B. Board Comments – April 26, 2023, Preliminary Taxable Value was \$283,030,787 an increase of \$22,048,223 from March 2023 report.

C. The next regular meeting date is set for Wednesday, June 28, 2023 at 7:30a.m. With no further business, meeting adjourned at 8:14 a.m.

Frank R. Rose, Chairman

Reginald C, Boykin, Sr., Secretary

Joel E. Levingston, Jr., Commissioner

04/27/23

Accrual Basis

_	Apr 23	Budget	Oct '22 - Apr 23
Ordinary Income/Expense			
Income REVENUES			
101 - Current Taxes	5,158.59	62,660.67	739,677.61
102 - Delinguent Taxes	511.92	666.67	7,523.19
103 - Interest	0.00	83.33	29,458.41
104 - Rendition Penalty	0.00	0.00	0.00
106 - Miscellaneous	5,891.36	0.00	6,521.98
Total REVENUES	11,561.87	63,410.67	783,181.19
Total Income	11,561.87	63,410.67	783,181.19
Gross Profit	11,561.87	63,410.67	783,181.19
Expense			
1 - SALARIES			
1002 - Clerical	4,197.00	4,197.33	29,379.00
1009 - Dept Head / Foreman	5,416.00	6,395.83	40,995.00
1010 - Commissioners	900.00	900.00	6,300.00
1015 - Extra Help	0.00	3,166.67	0.00
1048 - Equipment Operators/Asst	11,296.50	13,955.58	69,280.50
Total 1 - SALARIES	21,809.50	28,615.41	145,954.50
2 - FRINGE BENEFITS			
2001 - FICA Expenses	1,669.54	2,538.50	13,509.92
2002 - Retirement	1,528.88	1,988.42	13,246.28
2003 - Insurance	18,738.69	23,227.25	133,292.02
2004 - Worker's Compensation	0.00	916.67	190.00
2006 - Auto Allowance	1,625.00	1,650.00	11,475.00
2007 - Retirement Wage Contg			
Vacation Pay	0.00	0.040.07	10,332.00
2007 - Retirement Wage Contg - Other	0.00	2,916.67	14,597.39
Total 2007 - Retirement Wage Contg	0.00	2,916.67	24,929.39
2008 - Health Ins. Savings Acct	0.00	1,000.00	681.81
Total 2 - FRINGE BENEFITS	23,562.11	34,237.51	197,324.42
3 - MATERIALS & SUPPLIES	0.00	050.00	0.00
3006 Batteries	0.00	250.00	0.00
3008 Bolts Nuts Nails & Screws 3009 Antifreeze & Coolant	0.00	83.33	51.99
3010 Books & Printed Matter	0.00 330.00	166.67 416.67	0.00 879.00
3012 Prints, Maps & Etc	0.00	83.33	0.00
3014 Chains & Hooks	0.00	66.67	0.00
3016 Chemicals Weed Control	0.00	2,166.67	0.00
3018 Cleaners & Solvents	0.00	125.00	0.00
3019 - Additives & Lubricants	0.00	208.33	0.00
3020 Metal Culvert Pipe	-1,455.10	4,166.67	11,681.90
3022 Copying Supplies	0.00	166.67	0.00
3027 Electrial Supplies	0.00	250.00	0.00
3030 Fencing Material	716.10	541.67	716.10
3032 Concrete, Sand, Aggregat	0.00	833.33	0.00
3034 Diesel Fuel	0.00	4,166.67	7,196.36
3036 Diesel Fuel ON ROAD	0.00	1,666.67	2,798.24
3037 Gasoline	0.00	583.33	0.00
3040 Hardware - Misc	166.59	250.00	336.53
3041 Hose & Fittings & Filters	0.00	833.33	788.16
3048 Lumber, Timbers, Rope	0.00	208.33	295.00
3050 Medical & Safety	0.00	250.00	724.18
3051 Motor Oil & Grease	0.00	833.33	0.00
3056 Paint & Brushes	0.00	83.33	0.00
3072 Rope Wire Manila & Burlap	0.00	66.67 83.33	0.00
3073 Spare Parts, Heavy Equip	0.00 0.00	83.33 208.33	0.00 1 957 56
3077 Computer Supplies	0.00	200.33	1,957.56

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Accrual Basis

April	2023
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	Apr 23	Budget	Oct '22 - Apr 23
3078 Office Supplies	425.67	208.33	1,380.46
3080 Steel Angle Iron Rods, Etc	0.00	125.00	0.00
3083 Tires & Tubes	0.00	750.00	0.00
3084 Minor Equipment	76.84	833.33	76.84
3095 Welding Supplies	0.00	166.67	0.00
3099 Sundry	94.78	166.67	427.87
Total 3 - MATERIALS & SUPPLIES	354.88	21,008.33	29,310.1
4 - MAINTENANCE & UTILITES			
4001 Cooling and Heating	0.00	83.33	0.00
4009 Building & Structure	0.00	291.67	0.00
4010 Tractors & Mowers	0.00	1,041.67	0.00
4011 Equipment Repairs	3,816.78	4,166.67	8,319.21
4013 Marine Craft	0.00	166.67	0.00
4014 - Auto - Truck	0.00	250.00	7.00
4015 Communication Equip	0.00	125.00	306.66
4020 Miscellaneous	0.00	41.67	0.00
4030 Tools	87.98	250.00	750.94
4051 Freight	0.00	25.00	0.00
4052 Postage	0.00	41.67	396.09
4053 Natural Gas/Butane	156.62	308.33	1,850.51
4054 Telephone	408.32	500.00	3,130.65
4056 Electricity	346.20	500.00	2,494.48
4057 Water & Sewer	28.77	166.67	211.86
4058 Garbage Waste Disposal	68.00	100.00	476.00
Total 4 - MAINTENANCE & UTILITES	4,912.67	8,058.35	17,943.4
5 - MISCELLANEOUS SERVICES			
5009 Professional Services	366.87	833.33	1,344.14
5021 Dues & Subscriptions	174.00	208.33	1,178.50
5027 Engineering Fees	0.00	833.33	0.00
5028 Assessor/Collector Fees	0.00	166.67	0.00
5029 Attorney Fees	1,000.00	833.33	1,000.00
5031 Filing, Records & Photos	0.00	8.33	0.00
5032 Accounting Services	0.00	41.67	0.00
5036 Treasurer Commision	0.00	133.33	1,462.86
5038 Supplemenal Tax Refunds	0.00	166.67	0.00
5040 Insurance Autos & Trucks	0.00	500.00	0.00
5041 Insurance Property	0.00	416.67	0.00
5043 Insurance General Liab	0.00	166.67	7.00
5044 Insurance Official Liab	0.00	166.67	0.00
5045 Bonds Surety & Notary	0.00	83.33	668.00
5053 Equipment Rental	0.00	1,416.67	3,590.00
5054 Contract Aerial Spraying	0.00	1,333.33	0.00
5055 Contract Spraying	0.00	1,450.00	0.00
5062 Travel & Meeting Expense	0.00	66.67	0.00
5064 Training & Education	0.00	125.00	100.00
5074 Independent Auditor Fees	0.00	1,750.00	20,575.00
5095 Bank Service Charges	0.00	250.00	0.00
5098 Appraisal District Fees	0.00	750.00	4,041.80
5099 Sundry	125.00	83.33	275.00
Total 5 - MISCELLANEOUS SERVICES	1,665.87	11,783.33	34,242.3
6 - CAPITAL OUTLAY			
6001 Office Machines	0.00	375.00	1,199.00
6002 Excavation Equipment	0.00	14,583.33	0.00
6011 Machinery & Equipment	20,550.02	8,333.33	20,550.02
6014 Building & Structures	0.00	3,416.67	0.00
6022 Furniture & Fixtures	0.00	416.67	0.00
6042 Auto Truck & Trailer	0.00	4,166.67	0.00
6045 Land/ROW Acquisitions	0.00	416.67	0.00
0045 Lanu/NOW Acquisitions	0.00		

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**Accrual Basis** 

	Apr 23	Budget	Oct '22 - Apr 23
<b>Reconciliation Discrepancies</b>	0.00	0.00	0.00
Total Expense	72,855.05	135,411.27	446,523.83
Net Ordinary Income	-61,293.18	-72,000.60	336,657.36
Other Income/Expense Other Expense Transfer Account	0.00	0.00	0.00
Total Other Expense	0.00	0.00	0.00
Net Other Income	0.00	0.00	0.00
Net Income	-61,293.18	-72,000.60	336,657.36

04/27/23

**Accrual Basis** 

-	YTD Budget	Annual Budget
Ordinary Income/Expense		
Income		
REVENUES	400 004 05	754 000 00
101 - Current Taxes 102 - Delinguent Taxes	438,624.65 4,666.65	751,928.00 8,000.00
102 - Deiniquent Taxes	583.35	1,000.00
104 - Rendition Penalty	0.00	0.00
106 - Miscellaneous	0.00	0.00
Total REVENUES	443,874.65	760,928.00
-		
Total Income	443,874.65	760,928.00
Gross Profit	443,874.65	760,928.00
Expense		
1 - SALARIES	20 201 25	E0 269 00
1002 - Clerical 1009 - Dept Head / Foreman	29,381.35 44,770.85	50,368.00 76,750.00
1009 - Dept Head / Foreman 1010 - Commissioners	6,300.00	10,800.00
1015 - Extra Help	22,166.65	38,000.00
1048 - Equipment Operators/Asst	97,689.10	167,467.00
		<u>·</u>
Total 1 - SALARIES	200,307.95	343,385.00
2 - FRINGE BENEFITS		
2001 - FICA Expenses	17,769.50	30,462.00
2002 - Retirement	13,918.90	23,861.00
2003 - Insurance 2004 - Worker's Compensation	162,590.75 6,416.65	278,727.00 11,000.00
2006 - Auto Allowance	11,550.00	19,800.00
2007 - Retirement Wage Contg	11,000.00	10,000.00
Vacation Pay		
2007 - Retirement Wage Contg - Other	20,416.65	35,000.00
Total 2007 - Retirement Wage Contg	20,416.65	35,000.00
2008 - Health Ins. Savings Acct	7,000.00	12,000.00
Total 2 - FRINGE BENEFITS	239,662.45	410,850.00
3 - MATERIALS & SUPPLIES		
3006 Batteries	1,750.00	3,000.00
3008 Bolts Nuts Nails & Screws	583.35	1,000.00
3009 Antifreeze & Coolant	1,166.65	2,000.00
3010 Books & Printed Matter	2,916.65	5,000.00
3012 Prints, Maps & Etc	583.35	1,000.00
3014 Chains & Hooks	466.65	800.00
3016 Chemicals Weed Control 3018 Cleaners & Solvents	15,166.65 875.00	26,000.00
3019 - Additives & Lubricants	1,458.35	1,500.00 2,500.00
3020 Metal Culvert Pipe	29,166.65	50,000.00
3022 Copying Supplies	1,166.65	2,000.00
3027 Electrial Supplies	1,750.00	3,000.00
3030 Fencing Material	3,791.65	6,500.00
3032 Concrete, Sand, Aggregat	5,833.35	10,000.00
3034 Diesel Fuel	29,166.65	50,000.00
3036 Diesel Fuel ON ROAD	11,666.65	20,000.00
3037 Gasoline	4,083.35	7,000.00
3040 Hardware - Misc 3041 Hose & Fittings & Filters	1,750.00 5,833.35	3,000.00 10,000.00
3048 Lumber, Timbers, Rope	1,458.35	2,500.00
3050 Medical & Safety	1,750.00	3,000.00
3051 Motor Oil & Grease	5,833.35	10,000.00
3056 Paint & Brushes	583.35	1,000.00
3072 Rope Wire Manila & Burlap	466.65	800.00
3073 Spare Parts, Heavy Equip	583.35	1,000.00
3077 Computer Supplies	1,458.35	2,500.00

04/27/23 Accrual Basis

	YTD Budget	Annual Budget
3078 Office Supplies	1,458.35	2,500.00
3080 Steel Angle Iron Rods, Etc	875.00	1,500.00
3083 Tires & Tubes	5,250.00	9,000.00
3084 Minor Equipment	5,833.35	10,000.00
3095 Welding Supplies	1,166.65	2,000.00
3099 Sundry	1,166.65	2,000.00
Total 3 - MATERIALS & SUPPLIES	147,058.35	252,100.00
4 - MAINTENANCE & UTILITES	500.05	4 000 00
4001 Cooling and Heating	583.35	1,000.00
4009 Building & Structure	2,041.65	3,500.00
4010 Tractors & Mowers	7,291.65	12,500.00
4011 Equipment Repairs	29,166.65	50,000.00
4013 Marine Craft	1,166.65	2,000.00
4014 - Auto - Truck	1,750.00	3,000.00
4015 Communication Equip	875.00	1,500.00
4020 Miscellaneous	291.65	500.00
4030 Tools	1,750.00	3,000.00
4051 Freight	175.00	300.00
4052 Postage 4053 Natural Gas/Butane	291.65	500.00
	2,158.35	3,700.00
4054 Telephone	3,500.00	6,000.00
4056 Electricity 4057 Water & Sewer	3,500.00 1,166.65	6,000.00
4057 Water & Sewer 4058 Garbage Waste Disposal	700.00	2,000.00 1,200.00
0		
Total 4 - MAINTENANCE & UTILITES 5 - MISCELLANEOUS SERVICES	56,408.25	96,700.00
5009 Professional Services	5,833.35	10,000.00
5021 Dues & Subscriptions	1,458.35	2,500.00
5027 Engineering Fees	5,833.35	10,000.00
5028 Assessor/Collector Fees	1,166.65	2,000.00
5029 Attorney Fees	5,833.35	10,000.00
5031 Filing, Records & Photos	58.35	100.00
5032 Accounting Services	291.65	500.00
5036 Treasurer Commision	933.35	1,600.00
5038 Supplemenal Tax Refunds	1,166.65	2,000.00
5040 Insurance Autos & Trucks	3,500.00	6,000.00
5041 Insurance Property	2,916.65	5,000.00
5043 Insurance General Liab	1,166.65	2,000.00
5044 Insurance Official Liab	1,166.65	2,000.00
5045 Bonds Surety & Notary	583.35	1,000.00
5053 Equipment Rental	9,916.65	17,000.00
5054 Contract Aerial Spraying	9,333.35	16,000.00
5055 Contract Spraying	10,150.00	17,400.00
5062 Travel & Meeting Expense	466.65	800.00
5064 Training & Education	875.00	1,500.00
5074 Independent Auditor Fees	12,250.00	21,000.00
5095 Bank Service Charges	1,750.00	3,000.00
5098 Appraisal District Fees	5,250.00	9,000.00
5099 Sundry	583.35	1,000.00
Total 5 - MISCELLANEOUS SERVICES	82,483.35	141,400.00
6 - CAPITAL OUTLAY 6001 Office Machines	2,625.00	4,500.00
6002 Excavation Equipment	102,083.35	175,000.00
6011 Machinery & Equipment	58,333.35	100,000.00
6014 Building & Structures	23,916.65	
6014 Building & Structures 6022 Furniture & Fixtures	23,916.65	41,000.00 5,000.00
6022 Furniture & Fixtures 6042 Auto Truck & Trailer	2,916.65	
6042 Auto Truck & Trailer 6045 Land/ROW Acquisitions	29,166.65	50,000.00 5,000.00
Total 6 - CAPITAL OUTLAY	221,958.30	380,500.00

04/27/23 Accrual Basis

	YTD Budget	Annual Budget
<b>Reconciliation Discrepancies</b>	0.00	0.00
Total Expense	947,878.65	1,624,935.00
Net Ordinary Income	-504,004.00	-864,007.00
Other Income/Expense Other Expense Transfer Account	0.00	0.00
Total Other Expense	0.00	0.00
Net Other Income	0.00	0.00
Net Income	-504,004.00	-864,007.00

# DRAINAGE DISTRICT No. 3 Statement of Cash Flows

April 2023

	Apr 23
OPERATING ACTIVITIES	
Net Income	-61,293.18
Adjustments to reconcile Net Income	
to net cash provided by operations:	
EMPLOYEE PAID EXPENSES:202-0400 Employee Insurance	805.99
EMPLOYEE PAID EXPENSES:202-0902 VOL - LIFE / AD&D	14.10
Payroll Liabilities	-16.22
Net cash provided by Operating Activities	-60,489.31
Net cash increase for period	-60,489.31
Cash at beginning of period	1,733,187.34
Cash at end of period	1,672,698.03



# How special districts stay safe from ADA website risks

It's the law, and it's the right thing to do. We're committed to the best user experience for users with disabilities.

Just as buildings must have wheelchair ramps, public websites must have special provisions for users with disabilities. The number of lawsuits rose 56% in 2021<sup>1</sup>, and the penalties for noncompliance are rising fast—averaging \$4,000 for an ADA claim in 2019<sup>2</sup> to \$39,000 in 2022. It's a situation that *The Wall Street Journal* calls "very perilous" in a <u>recent article</u>.

The most appalling development is that the majority of new actions are targeting organizations smaller than 30 million in revenue, as they are often not aware of or prepared to meet web accessibility standards.

# Quantifying the risk

Districts often ask themselves, "What is the actual risk that an ADA claim will affect us?" The results are both surprising and unpredictable.

The overwhelming majority of ADA-related claims never make it to court. They are quietly settled, usually forced by insurance pools who want to manage risk without admitting to any wrongdoing or panicked districts who realize their EPLI insurance doesn't cover *website*-related ADA issues (the majority do not).

# More than 2,403

(about 6% of all districts in the US, including county-dependent districts) have been fined, received demand letters, or gotten Department of Justice Office of Civil Rights (OCR) letters for website ADA violations in the US.

That number is expected to **exceed 4,000** (10%) by the end of 2024.

# Very few

if any, special district insurance policies even partially cover the costs of *web* accessibility issues

Most insurance carriers, including district statewide insurance pools, do not cover website-specific ADA claims in their EPLI policies. ADA is *not* covered by cyber, either.

Median deductible: **\$5,200** Median settlement: **\$25,000**<sup>3</sup> Median remediation: **\$17,500** (not covered by insurance)

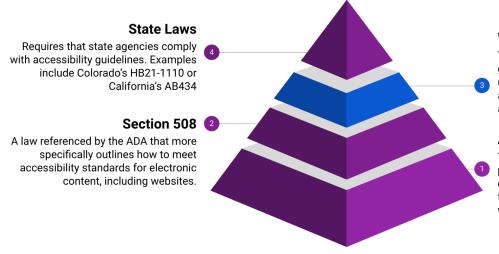
<sup>&</sup>lt;sup>1</sup> <u>https://www.wsj.com/articles/lawsuits-over-digital-accessibility-for-people-with-disabilities-are-rising-11626369056</u>

<sup>&</sup>lt;sup>2</sup> <u>https://ada.jmbm.com/ada-website-accessibility-lawsuits-wont-go-away-in-2020-part-1-how-we-got-here/</u>

<sup>&</sup>lt;sup>3</sup> <u>https://www.boia.org/blog/did-u-s-businesses-spend-billions-on-legal-fees-for-inaccessible-websites-in-2020</u>

# **Accessibility Laws**

The laws surrounding accessibility are both disjointed and nuanced. There are a few layers of federal regulations further augmented by state regulations. While more and more state laws are emerging with their own timelines and penalties, most districts do not realize that they are already liable for violations of federal laws, which comprise the majority of current actions.



## WCAG Guidelines

The international web accessibility guidelines that are referenced (directly and indirectly) by both state and federal laws regarding web accessibility.

#### **ADA Compliance**

The Americans with Disabilities Act protects the rights of people with disabilities. It's broad reach extends to websites, but doesn't reference web accessibility specifically.

# Understanding website accessibility

Districts are required to have not only a website that is technically accessible, but policies and procedures for reporting and remediation.

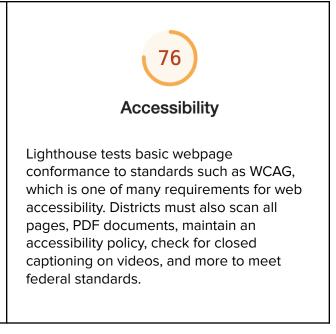
#### What is my district's risk now?

One way to assess risk is to scan your homepage. Learn how to use Lighthouse or run a free scan at getstreamline.com/accessibility-scanner



#### What is Google Lighthouse?

A free tool that anyone can use to scan your webpage to check for accessibility. It is available in the Chrome browser by hitting F12.



# Streamline will protect you

# Streamline cares about accessibility

The Streamline team has a long history of working on accessible websites. At the California Capital, Streamline's CEO was presented with the "Vision Award" from Disability Rights California, the nation's largest disability rights advocacy group, for their work on making websites more accessible to the public.

The award was presented by Jeffrey Thom, a board member, Stanford-trained attorney, and long-time champion of disability rights. In presenting the award, Jeffrey, who is blind, challenged the



audience. "Consider how frustrated you would be if you went to your favorite website and you got just a blue screen with nothing on it," he said. "This is the reality for many users with disabilities."

## Meet our legal team

Streamline has partnered with two of the most recognized ADA defense attorneys in the United States—Martin Orlick and Stuart Tubis of Jeffer Mangels Butler & Mitchell LLP. They are intimately familiar with your website, the Streamline platform, and understand the unique nature of public sector Title II ADA complaints.



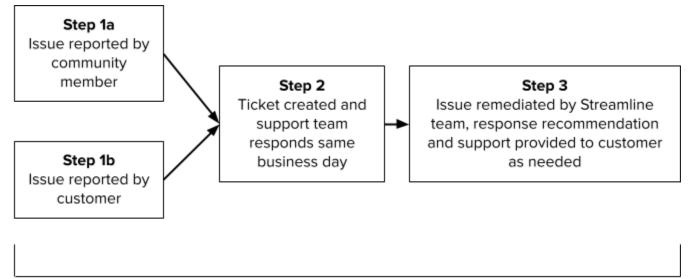
# Our accessibility review process

Streamline conducts rigorous audits of its own platform in partnership with LevelAccess, one of the leading providers of web accessibility testing. This includes numerous real users with real disabilities on various accessible technologies (ATs) testing the site for issues.

Any identified issues are immediately addressed by our engineering team. Since accessibility best practices are constantly evolving, our work is never complete. If we find a widespread issue affecting multiple sites, we will work with those customers directly to resolve the issue in a timely manner.

# Our rapid response process

Streamline is committed to a speed response when either you or a member of your community finds an issue. Also, all communication is carefully documented in case the request for accommodation leads to a legal action or demand letter.



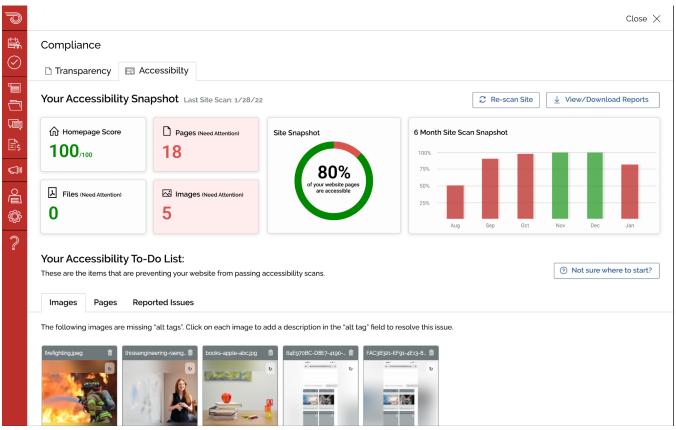
within one business day

# Ongoing training

Streamline offers CE-credit eligible ongoing accessibility training for special districts. Learn more or sign up for a class at <u>getstreamline.com/accessibility</u>.

# Streamline Accessibility Shield™

Streamline is the first and only company to offer ADA scanning built into its product for special districts.

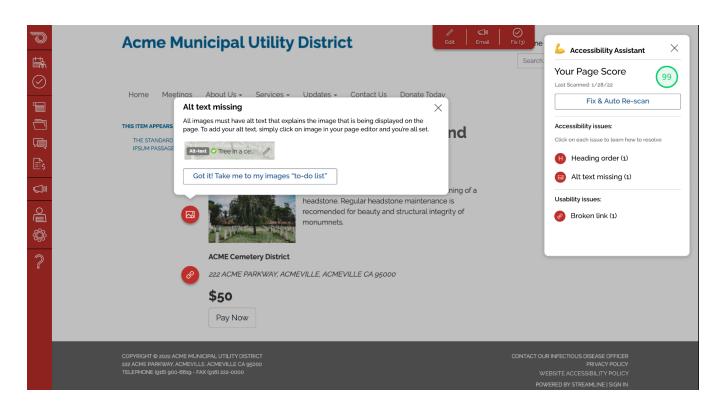


What AccessibilityShield can do for your district:

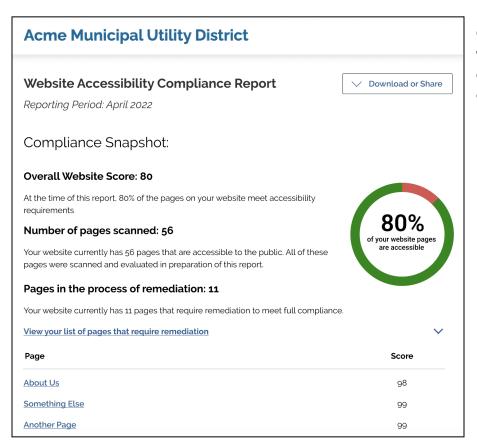
- Monthly comprehensive site scans
- Public accessibility policy landing page with up-to-date best practices for your state
- Website issue reporting form
- Scan results and remediation action reports
- Monthly board-ready compliance reports

What AccessibilityShield doesn't do (yet) that you will need to check manually:

- Check your PDFs for potential accessibility issues (coming soon)
- Check your images to make sure they don't have text in them that you should also have on your page, such as a flyer (coming soon)
- Check your videos for closed captioning (this is something you will want to have in place)
- Check third-party content or linked content, such as an embedded map or widget, so please place custom HTML with care, or just ask us for help!



Streamline's accessibility assistant will guide you through specific fixes right on the page, without having to go to another system. With other systems, it can take a few hours to go through all the identified items and fix them on your site. With Streamline, remediation is right at your fingertips, with most identified problems being automatically resolved by the tool. Because Streamline is so easy to use, you can do the fixes yourself, or with help from our responsive team.



Comprehensive reports, policies, and workflows will be developed for your organization, bringing you into full compliance.

# ADA Legal Shield<sup>™</sup> Coming Soon

We won't just stand by our product, we'll stand by you in court.

Streamline is the first and only company to offer a robust legal defense as part of its offering.

We will indemnify your district against website ADA claims. Our Harvard and MIT-trained attorneys will defend your district against website accessibility claims and demand letters at no cost to you. We'll strike fear into the hearts of trial attorneys looking to make a quick buck off your district, and more importantly, we will make users with genuine disability-related issues get the respect and support they deserve.

Note that ADA Legal Shield<sup>™</sup> requires having the accessibility shield criteria met, as well as the district agreeing to reasonable provisions, such as giving Streamline and its legal team strategic control of litigation and waivers/exclusion of claims against physical property matters (such as wheelchair ramps), class action lawsuits, and third-party content. We'll explain all of this in detail, if you're interested in learning more.

# How Streamline saves you money

Comparing the cost of traditional compliance measures vs. Streamline

	Other Solutions	Streamline Standard	Streamline Accessibility Shield	Streamline Total Protection (w/ADA Legal Shield™)
Monthly Cost	Varies (see below)	\$50/mo	\$70/mo	\$190/mo
Content Management System	\$10/mo - \$3,000/mo depending on platform	Included	Included	Included
Website remediation to correct issues	\$75-150/hr for developer time ongoing to review and remediate issues	Included	Included	Included
Homepage scanning	Free with Lighthouse	Included	Included	Included
Full site scanning	\$80/mo-\$300/mo depending on number of pages (compare to Monsido® or UserWay™)		Included	Included
PDF file scanning	\$1-5 per PDF (compare to CommonLook™)		Included <sup>4</sup>	Included
Accessibility policies and practices	\$5,000-\$15,000 to develop a plan and remediation forms		Included	Included



<sup>&</sup>lt;sup>4</sup> Feature Coming Soon - checks for common errors in PDFs, such as lack of heading levels or text

Annual audit testing and remediation by LevelAccess®	\$10,000-\$25,000/yr depending on site size			Included! (an enormous value) <sup>5</sup>
Legal Shield Insurance and Legal fee coverage	\$300+/mo for ProWriters insurance <sup>6</sup> plus any deductible			Included! Indemnification and legal defense by top ADA Attorneys <sup>7</sup>
Requests for accommodation, OCR letters, and demand letters		Support tickets to assist	Support tickets to assist	RapidResponse™ Form, process, and team for any reported issues

All offerings are subject to the terms and conditions of the contract.

<sup>&</sup>lt;sup>5</sup> Because Streamline tests its entire platform, which comprises more than 700 special district websites, it can get an extraordinary deal in its partnership with LevelAccess—a deal not possible by a district contracting directly with a third party. Your entire site will be tested by live users with various disabilities across various ATs in what is the gold standard for accessibility audits.

<sup>&</sup>lt;sup>6</sup> <u>https://prowritersins.com/cyber-insurance-blog/americans-with-disabilities-act-liability-insurance/</u>

<sup>&</sup>lt;sup>7</sup> Streamline ADA Legal Shield<sup>™</sup> requires having the accessibility shield criteria met, as well as the district agreeing to reasonable provisions, such as giving Streamline and its legal team strategic control of litigation and waivers/exclusion of claims against physical property matters (such as wheelchair ramps), class action lawsuits, and third-party content. We'll explain all of this in detail, if you're interested in learning more.



# **Streamline Security & Business Continuity**

# **Proactive support**

• **Uptime monitoring:** We are notified within a minute of any issue with the platform due to ongoing automated checks.

# **Rapid response**

• **US-based support:** our team will respond immediately to business-critical issues. All responses are tracked and routed using an online ticketing system.

# **Best practices**

- **Code security:** our architecture features an immutable codebase, so platform code cannot be changed outside of our normal dev-test-release process.
- Secure headers: We enforce HSTS and Content Security Policy headers.
- **SSL certificates**: We work with the LetsEncrypt certificate service to automatically issue and renew your certificates.
- Single sign-on (SSO) and multi-factor authentication: We support SSO and 2FA/MFA to integrate Streamline with your existing login infrastructure or SAML-based authentication service, such as Microsoft ADFS or Google's GSuite.
- **Best Practices**: We monitor NIST, MS-ISAC, and use package managers to monitor the code status of all code. Any security patch is deployed within 24 hours of public disclosure. Follows the <u>Twelve-Factor Methodology</u> for application design.

# **Reliability and backups**

- Best-in-class cloud hosting: US-based Infrastructure on Amazon Web Services
- **99.95% uptime:** even when accounting for scheduled maintenance, the reliability of the platform exceeds industry standards
- **Multi-region redundancy**: we use multiple Amazon availability zones for seamless failovers in the case of a broad outage
- Hourly backups: made possible with Amazon Aurora, a distributed, fault-tolerant, self-healing storage system that auto-scales up to 128TB per database instance. It delivers high performance and availability with up to 15 low-latency read replicas, point-in-time recovery, continuous backup to Amazon S3, and replication across three Availability Zones (AZs)

# Independently-verified security

- **Security audits:** we conduct two types of audits: Automated security scans through industry-standard tools and manual penetration testing via 3rd party security firms
- Security awareness training: ensuring that your staff are aware of phishing attacks and other schemes is essential

- Independent site scans: we have partnered with numerous industry leaders including Secureworks to independently scan and certify the security of the platform on behalf of the systems we serve
- Secure by design: we have designed our platform to reduce the attack surface as much as possible at the platform architecture level
- No member data stored externally: the best way to avoid a breach of confidential information is to make sure you're not storing any. By directly leveraging RESTful APIs that access your line of business system or by storing non-PII personalization data to a local cookie on the user's device, Streamline never directly stores member data, eliminating the "honeypot" risk that comes with centralized storage.

# Insured

- **Full COI coverage included:** we take a holistic approach to managing the integrity of our hosting platform by extending our company's \$2 million cyber insurance to your organization through a certificate of additional insured (COI) upon request.
- **Proven track record:** Though we have been incident-free in our 10 years of hosting websites and applications, we are still proactive and protective.



# Streamline's Unlimited Training and Support

Small things, big things, and anywhere in between. Our support team is always here to jump on a call, address your support ticket, or train that new staff member. We've got your back!

# Free training and support from a real human whenever you need it

# Training

We'll teach you how to use your website

- $\rightarrow$  1 hour start-up training for all users
- → New staff member training as needed
- → Hundreds of on-demand tutorials
- → Monthly Masterclass webinars

**Support** 

We'll jump in if you need help getting it done

- → Email support
- → Dedicated phone support hotline
- → Request help through your website
- ➔ One-on-one Zoom session

When you reach out, we guarantee a response from a real-human in less than an hour

Honestly, support might be the thing our customers love most about us *Our customers give us a 94%, all-time, positive support rating* 



"Streamline has made my life so much easier! I don't procrastinate because I'm intimidated and I know that if I need help I can ask. Thank you for taking a daunting task and making it easy, even fun, so that our patrons can find the information they need when they need it." - *Su Liudahl, Creswell Library District* 



"When I needed help getting more detailed work done on the website, I was able to schedule a one-on-one with Chris in no time. During our meeting, he showed me some cool tricks and got our website looking outstanding! Plus he's just friendly and great to work with. Definitely recommend Streamline to everyone who needs it."

- Taylor Gullikson, Los Olivos Community Services District



# Jefferson Central Appraisal District

P.O. Box 21337 Beaumont, Texas 77720-1337 4610 S. Fourth St. Beaumont, Texas 77705 Phone (409) 840-9944 (409) 727-4611 Fax (409) 727-5621

Chief Appraiser Angela Bellard, RPA, RES, AAS

April 26, 2023

MEMBERS OF THE BOARD Lauren Williams Mason, Chairperson Dr. Louis Reed; Jr., Secretary Allison Nathan Getz Eugene Landry Robert Thewman

Mr. Ruffus Lavergne General Manager Drainage District #3 P O Box 388 Hamshire TX 77622

Dear Mr. Lavergne:

Below is the 2023 Preliminary Net Taxable Value for your entity. *Please remember that this value is preliminary and will be revised through the Appraisal Review Board protest process.* 

## \$283,030,787

The Appraisal Review Board will hear and determine all taxpayer protests, and we will update your preliminary value on a bi-weekly basis until the appraisal roll is certified by July 25, 2023.

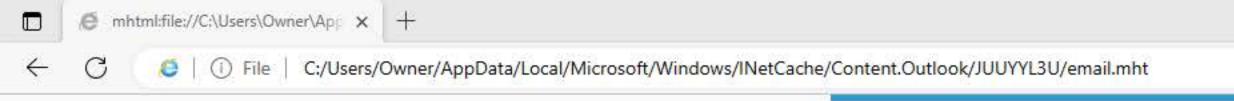
Sincerely,

Bill

Angela Bellard, RPA, RES, AAS Chief Appraiser

pjb

c: Mrs. Allison Nathan Getz Tax Assessor-Collector



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# TWCA Summer Conference 2023: **Draft Schedule Released**



# TWCA Summer Conference Draft Schedule Released. The TWCA Summer Kitzman. You can view the complete draft schedule here.



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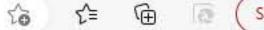
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Hotel. The hotel room block is currently full. Please complete this waitlist form and we will do our best to get everyone off the waiting list. As usual, if you decide you no longer want a room, please contact Lisa Henley so we can maintain the room in our block and assign the room to someone else.

qb

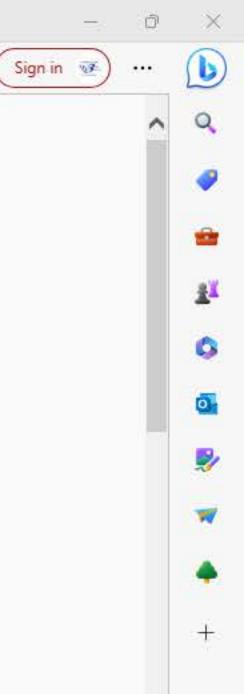
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Conference is scheduled for June 14-16, 2023 at The Woodlands Resort. Early bird rates expire on May 26. Register here. We will have our typical summer conference schedule, with two receptions, a Friday networking breakfast, committee/panel/board meetings, speaker sessions, and keynote presentations from TWDB Director L'Oreal Stepney, PUC Commissioner Kathleen Jackson, and State Representative Stan









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