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**MINUTES OF VIDEOCONFERENCE MEETING NO. 2340  
COMMISSIONERS OF JEFFERSON COUNTY  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

Place: 4749 Twin City Highway, Suite 300  
Port Arthur, Texas

Date: January 19, 2021

Present: Commissioners  
Richard Beaumont  
Lester Champagne  
Albert Moses, Jr.  
Matthew Vincent  
Phil Kelley, Manager  
Pete Steele, Attorney

Absent: James Gamble, Sr.

Visitors: Dean Depew, DD7  
Brady Girouard, DD7  
Garrett Boudoin, DD7  
Kim Carroll, Texan Engineering  
Allen Sims, LJA Engineering

The meeting was called to order at 2:00 p.m. by Chairman Beaumont after ascertaining that the Notice of Meeting had been posted in accordance with the law. Commissioner Moses gave the invocation.

Minutes of Meeting No. 2339

The Minutes of Meeting No. 2339 was approved as read.

Consider Resolution Authorizing Right-of-Way Instrument with Entergy Texas, Inc.

Resolution No. 470 Authorizing Right-of-Way Instrument with Entergy Texas, Inc. was presented for consideration. Mr. Brady Girouard stated the District needs to grant an easement on District property to Entergy Texas, Inc. for construction and maintenance of electric power and communication facilities for a 36' wide overhead

electric easement for Lots 2 through 8, Block 10, Range "L" and Lots 1 and 8, Block 10, Range "M" of the Port Arthur Land Company Subdivision. The instrument is needed to run electrical service for Enterprise's pig launching station as well as its valve station and is merely a formality. Commissioner Vincent moved to approve Resolution No. 470 Authorizing Right-of-Way Instrument with Entergy Texas, Inc. Commissioner Champagne seconded the motion. The motion carried. A copy of Resolution No. 470 is attached hereto and made a part hereof.

Consider Pay Request No. 2 to Norman Highway Constructors, Inc. for Improvements to Lateral A-3-A Crossings at Hogaboom Road and Baird Street

A recommendation letter was received from Kim Carroll of Texan Engineering & Consulting for Pay Request No. 2 to Norman Highway Constructors, Inc. for Improvements to Lateral A-3-A Crossings at Hogaboom Road and Baird Street in the amount of Sixty-Two Thousand One Hundred Ninety-Four and 19/100 (\$62,194.19) Dollars. Mr. Garrett Boudoin stated the pay request is for work completed in the month of December 2020 and one week in January 2021. Work includes maintaining the traffic control plan, demolishing and removing existing concrete lining, placement of cement stabilized sand, installation of new concrete lining and concrete wingwall, extending existing concrete boxes, excavation of dirt and implementation of trench protection for installation of new concrete boxes. There are two phases to the project on Hogaboom Road, and the first phase is almost complete. The second phase will move quicker than the first phase. The first phase of the project included working around utilities with the City of Groves, Texas Gas Service and Air Products which

slowed down work a little. The contractor has completed 27% of the work using 24% of the contract time. Commissioner Champagne moved to approve Pay Request No. 2 to Norman Highway Constructors, Inc. for Improvements to Lateral A-3-A Crossings at Hogaboom Road and Baird Street in the amount of Sixty-Two Thousand One Hundred Ninety-Four and 19/100 (\$62,194.19) Dollars. Commissioner Moses seconded the motion. The motion carried.

Sabine Pass to Galveston Bay Project Summary

Mr. Brady Girouard gave a brief update on the Sabine Pass to Galveston Bay Project and stated there is not a lot to report. Contract No. 1 is still underway; however, not much progress is being made due to problems with the borrow material design specification and the deep soil mix design. The remainder of the projects are either reaching the 35% design level or 65% design level. Utility relocations are still heavily engaged and are expanding somewhat with Contract 3A working with the City of Port Arthur and pipeline companies. Mr. Phil Kelley reported that the District has filed for a direct reimbursement with the General Land Office ("GLO") for some geotechnical work that has been completed in an approximate amount of a little over \$400,000. The reimbursement request also included an advance funding request in an amount of a little over \$4,000,000 for the design of the Valero pipe rack relocation work to be done, which includes engineering and demolition. This reimbursement request was sent to the GLO on Friday, January 15, 2021.

Manager's Miscellaneous Reports/Financials

Since the date of the last Commissioner's meeting, the following work has been done:

HFPL Maintenance/Herbicide Crew

Herbicide Application:

- N. Port Acres Ditch A

Misc.:

- Working with Ducks Dragline Service on Blocks Bayou Repair/Improvement Project.
- Checked crossings and flap gates before and after rain events.
- Cut fence line at Total Refinery.
- Weed eat power poles from PS 17 to PS 16.
- Weed eat sheet pile wall behind Chevron.
- Weed eat fence line and crossings on HFPL on Highway 73 near Total.
- Weed eat fence line near Vessel Repair.
- Weed eat dome tops on Sabine Towing Rd.

Contractor:

- Duck's Dragline Service: Mulching trees and re-establishing ditch bank on Blocks Bayou.

Control Center Operation and Pump Station Maintenance Report

- Roy, Brown Finish up at 8910 on new engine install.
- Tony finish recording utilities.
- Roy, Brown installs snappy joe on main fuel line at 8905
- Roy, Brown fab and install new battery trays on new engines at 8907.
- Roy work on driveshaft guard 8910 new engine.
- Brown fab driveshaft guard for 8910. Pick up door awning for 8919 at sheet metal shop.
- Brown repair safety cable across intake bay 8901.
- James worked at Fab Shop on driveshaft guard for #5 8910.

- James and Joe worked at 8905 repair and install new bolts in pump bell skirts on unit #4, #5, #6.
- James installed new driveshaft guard at 8910 Unit #5.
- James and Joe installed new walk-through door on office at 8919.
- James cleaned up at Fab Shop 8902
- Joe painted door at 8919.
- Roy installed new signs at control center parking lot.
- James recorded utilities.
- Roy, James Check stations, load forklift at shop on truck for repair. Clean up fab shop.
- James, Roy check pump stations for long weekend for rain.
- James, Roy repair snappy joe valve and reinstall at 8905 on main fuel line.
- Tony record end of month hours.
- James, Roy received material to fab stop log support structure for 8916 annex.
- Tony record end of month hours.
- James, Roy worked at fab shop on steel for stop log support for 8916 annex.

Construction Notes - Alligator Bayou Pump Station Annex  
December 21, 2020 – January 8, 2020

Monday, December 21:

Alligator Project; Allco is working on site today; however, DD7's site representative was off on vacation, so a daily report was not generated.

Tuesday, December 22:

Alligator Project; Allco worked on site today. Weather conditions were sunny. The site conditions were dry.

Allco superintendents (3) on site Mike Nunez (1), Joe (1), and Terrell (1) with (6) operators/laborers reported.

Allco's crew has finished texturing the Northeast retaining wall. The crew is now beginning to pump water back into the intake bay with (2) 6-inch pumps. Also, they are installing the stop-log rack and setting stop-logs in it. The dirt crew has started working on the cofferdam again. The crew is moving sheet pile to keep dirt under the heavy equipment.

Electrical Specialties (1) is on site working on electrical systems in station.

B.L. Tech (1) is on site installing a bubble tube inside the intake bay.

Wednesday, December 23:

Alligator Project; Allco worked on site today. Weather conditions were cloudy with rain forecasted in the afternoon produced by a strong cold front. The site conditions were dry.

Allco superintendents (2) Terrell (1) and Joe (1) with (6) operators/laborers reported.

Allco's crew is shoring up the cofferdam to move back on the dam to get ready to dig more dirt out from inside of the dam. The crew is also water jetting mud away from the sheet pile on the intake bay side of the station to prepare the site for Diver Dan's crew to start cutting sheet pile again on Monday.

Electrical Specialties (1) is on site working on electrical systems in station.

IEM (1) is on site working on control panels for engine operation.

Thursday, December 24:

Alligator Project; Allco and DD7 are not working on site in observance of the Christmas holiday break.

Friday, December 25:

Alligator Project; Allco and DD7 are not working on site in observance of the Christmas holiday break.

Monday, December 28:

Alligator Project; Allco is working on site today; however, DD7's site representative was off on vacation, so a daily report was not generated.

Tuesday, December 29:

Alligator Project; Allco is working on site today; however, DD7's site representative was off on vacation, so a daily report was not generated.

Wednesday, December 30:

Alligator Project; Allco is working on site today; however, DD7's site representative was off on vacation, so a daily report was not generated.

Thursday, December 31:

Alligator Project; Allco and DD7 are not working on site in observance of the New Year holiday break.

Friday, January 1:

Alligator Project; Allco and DD7 are not working on site in observance of the New Year holiday break.

Monday, January 4:

Alligator Project; Allco worked on site today. Weather conditions were sunny. The site conditions were dry.

Allco superintendents (2) on site Joe (1) and Terrell (1) with (7) operators/laborers reported.

Allco's crew is pulling (2) full sheet piles out of the intake bay side of the cofferdam that were cut off under water on December 30<sup>th</sup>. The piles were not cut deep enough, they were cut to about (-14.0 to -15.0 ft.) elevation at approximately 60 feet from the bridge. The dirt crew is working on the cofferdam to remove sheet pile and shoring up the dam to hold the heavy equipment so that they can remove more dirt.

Tuesday, January 5:

Alligator Project; Allco worked on site today. Weather conditions were sunny. The site conditions were dry.

Allco superintendents (2) on site Joe (1) and Terrell (1) with (7) operators/laborers reported.

Allco's crew is digging dirt out of the cofferdam and attempting to pull (2) sheet piles out of the middle of the cofferdam to be able to move back and continue digging. The crew is also separating sheet pile that was pulled yesterday.

Wednesday, January 6:

Alligator Project; Allco worked on site today. Weather conditions were cloudy with misty rain in the afternoon. The site conditions were dry.

Allco superintendents (3) Terrell (1), Joe (1), and Mike (1) with (6) operators/laborers reported.

Allco's crew is digging dirt out of the cofferdam and pulling (3) sheet piles that cross the middle of the cofferdam out so that they can continue digging.

Thursday, January 7:

Alligator Project; Allco is not working on site due to a rain out. It is too muddy to drive dump trucks on cofferdam.

Friday, January 8:

Alligator Project; Allco worked on site today. Weather conditions were partly cloudy. The site conditions were muddy.

Allco superintendents (1) Terrell (1) with (6) operators/laborers reported.

Allco's crew is moving support beams and steel plates onto the cofferdam for equipment support so that they can continue digging more dirt out. The crew is also cutting up sheet pile for scrap iron and reusable sheets.

Mr. Phil Kelley presented the financial statements prepared by FMW, P.C. for the period ended December 31, 2020, and gave a collateral securities report as of December 31, 2020.

Mr. Allen Sims of LJA Engineering gave an update report on the Alligator Bayou Pump Station Annex Project. He stated three (3) pumps were ran last Friday and there was a small issue with vibration. It is his understanding that after tightening a sensor, the issue was resolved. Mr. Dean Depew stated there were several sensitive vibration sensors shutting down. There was one on an engine and two on two different pumps. Mr. Depew said he and Allen Sims plans to meet with BL Technologies tomorrow to talk about the new SCADA system to be installed at the project and he wants to talk about making the vibration sensors a warning instead of an actual shutdown because they are so sensitive. Mr. Kelley agreed this was a good idea.

Mr. Sims stated there are two pump lubricators not working properly. He has talked with Patterson Pump Company, and they are going to work with the District to get someone to come out to address the situation. The problem may have been caused by the equipment being in storage for such a long period, and it is uncertain whether this will be covered under warranty. Hopefully, this will be worked out quickly. Allco is starting tomorrow to set barges to finish pulling the coffer dam sheet pile from the intake bay next week. A representative from the Texas Department of Emergency Management ("TDEM") is scheduled to come out this Friday to walk the site as part of the project closeout process.



Mr. Kelley advised the District is still holding the final payment to Patterson Pump Company until the sensor issue and pump lubricator issue is resolved.

Permits

Gates of Port Neches Apartments – Proposed 24” Pipe Entry into K.C.S. Extension. Mr. Garrett Boudoin recommended approval with a Two Hundred Fifty and No/100 (\$250.00) Dollar permit fee and no bond required subject to the special conditions contained within the permit. Commissioner Moses moved to approve Mr. Boudoin’s recommendation. Commissioner Champagne seconded the motion. The motion carried.

Checks & Purchase Orders  
Maintenance Fund

Ck. No. 17647 – County Clerk, Jefferson County, Texas  
\$55,618.14 – 11/03/2020 Election Expense

Ck. No. 17648 - Duck's Dragline Service, Inc.  
\$9,810.00 – Rental LS250X4 Trackhoe 01/04-01/14/21 and  
Rental LS250X3 Trackhoe 01/04-01/14/21

Ck. No. 17649 – Filmr, LLC  
\$276.00 – Filming and Social Media Posts

Ck. No. 17650 – LJA Engineering, Inc.  
\$75,471.77 – Develop Data Collection System (2), Stormwater  
Management Plan, Rodair Gully Watershed Study, Alligator  
Bayou Upgrade, Engineering Fees, Halbouty Detention HMGP  
and Sabine Pass to Galveston Bay Project

Ck. No. 17651 – Mutual of Omaha Companies  
\$1,135.22 – Health Insurance Payment

Ck. No. 17652 – National Networks  
\$3,478.74 – Monthly Computer Service for February 2021

Ck. No. 17653 – Norman Highway Constructors, Inc.  
\$62,194.19 – Lateral A-3-A Crossings at Hogaboom Road and  
Baird Street

Ck. No. 17654 – Ron Lewis & Associates  
\$3,500.00 – Legislative Consulting Fees

Ck. No. 17655 – Ronnie Hollier  
\$129.99 – Reimbursement for Shoreguard 425 10' for Blocks Bayou

Ck. No. 17656 – Tower Medical Center of Nederland  
\$40.00 – Pre-Employment Physical

Ck. No. 17657 – W-Industries of Texas, LLC  
\$21,935.00 – Update Data Operations System SCADA

Ck. No. 17658 – Harold L. Doucet, Jr.  
\$200.00 – HFPL Patrol

Ck. No. 17659 – Lawrence Myers  
\$1,000.00 – HFPL Patrol

Ck. No. 17660 – Timothy P. Dinger  
\$100.00 – HFPL Patrol

Ck. No. 17661 – Groves Equipment Rental Co., Inc.  
\$2,700.00 – 15 Ton Crane Rental 12/17-01/16/21

Ck. No. 17662 – Johnny's Towing & Recovery  
\$650.00 – Transport Truck Rental 01/14/21

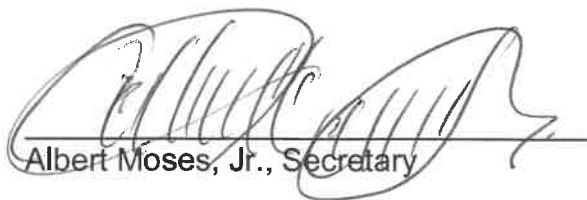
Ck. No. 17663 – LJA Engineering, Inc.  
\$2,820.00 – A-3-A Detention & Groves Detention (HMGP)

Ck. No. 17664 – Sprint Waste Services, LP  
\$3,716.46 – Rental Rolloff Containers, Holding Tanks and  
Fuel Surcharges, Various Pump Stations

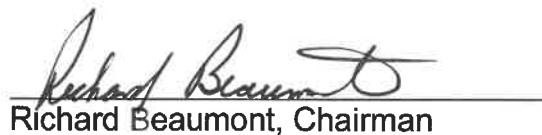
Commissioner Champagne moved that the checks from the Maintenance Fund be approved for payment. Commissioner Vincent seconded the motion. The motion carried.

Chairman Beaumont asked if there were any questions or comments from the public. There were none.

At 2:16 p.m., Commissioner Vincent moved that the meeting be adjourned. Commissioner Champagne seconded the motion. The motion carried.



Albert Moses, Jr., Secretary



Richard Beaumont, Chairman

**RESOLUTION NO. 470  
AUTHORIZING RIGHT-OF-WAY INSTRUMENT WITH  
ENTERGY TEXAS, INC.**

STATE OF TEXAS                                 \*  
   \*  
COUNTY OF JEFFERSON                         \*

WHEREAS, Jefferson County Drainage District No. 7 (the "District") desires to enter into a Right-of-Way Instrument with Entergy Texas, Inc. ("Entergy") to grant an easement to property for construction and maintenance of electric power and communication facilities for a 36' wide overhead electric easement on the following property:

Being 146.19 acres of land out of the W. A. Kyle Survey, A-413, the Joseph Butler Survey, A-9, and the William McFadden Survey, A-318, and being all or part of Lots 1 through 8, Block 10, Range "L" and Lots 1 and 8, Block 10, Range "M" of the Port Arthur Land Company Subdivision and being recorded in/under OPR 101-64-1049 8633081 of Jefferson County, Texas; and

WHEREAS, the District wishes to authorize the District's Manager to execute the Right-of-Way Instrument on behalf of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7:

THAT it is in the best interest of the District to enter into a Right-of-Way Instrument with Entergy and authorize its Manager to execute on behalf of the District the attached instrument.

THAT the Manager be, and hereby is, authorized to take any and all action and is authorized to execute any and all instruments, documents, or filings in connection with the accomplishment of the transactions outlined in this resolution and to certify the

adoption of such resolutions to such parties which such Manager deems necessary or appropriate.

I, Albert Moses, Jr., Secretary of the Board of Commissioners of Jefferson County Drainage District No. 7, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of Commissioners of Jefferson County Drainage District No. 7, at their meeting No. 2340 held on the 19<sup>th</sup> day of January, 2021, upon motion made by Commissioner Vincent and seconded by Commissioner Champagne and adopted unanimously by said Board, a quorum being present.

Given under my hand this 19<sup>th</sup> day of January 2021.

  
Secretary  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7

**RIGHT-OF-WAY INSTRUMENT - ENTERGY TEXAS, INC.**

KNOW ALL MEN BY THESE PRESENTS THAT: **JEFFERSON COUNTY DRAINAGE DISTRICT NUMBER 7**, acting individually, and for, and on behalf of, my/our heirs, successors, assigns and any other person claiming the ownership to the property hereinafter described, collectively "Grantor", for and in consideration of One Dollar, in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, assign, convey unto and warrant and defend **Entergy Texas, Inc.**, whose address is 60 North 11<sup>th</sup> Beaumont, Texas, and its successors and assigns, collectively "Grantee", a right-of-way, servitude and **easement 36' (feet) in width** for the facilities, construction, reconstruction, improvements, repairs, operation, inspection, patrol, replacement and maintenance of electric power and communication facilities, or the removal thereof, now or in the future for material and appurtenances, now or hereafter used, useful or desired in connection therewith by Grantee over, across, under or on that land of Grantor in the County of **Jefferson**, State of Texas described as follows, to-wit:

**Being 146.19 acres of land out of the W. A. Kyle Survey, A-413, the Joseph Butler Survey, A-9, and the William McFadden Survey, A-318, and being all or part of Lots 1 through 8, Block 10, Range "L" and Lots 1 and 8, Block 10, Range "M" of the Port Arthur Land Company Subdivision and being recorded in/under OPR 101-64-1049 8633081 of Jefferson County, Texas.**

**The easement herein granted is shown by the attached Exhibit "A" hereto attached and made a part hereof.**

Unless otherwise herein specifically provided, the center line of the electric power and communication lines initially constructed on this right-of-way shall be the center line of said right-of-way; together with the right of ingress and egress to and from said right-of-way across the adjoining land of the Grantor and the right to attach wires and cables of any other party to Grantee's facilities. In the event the electric power and communication facilities are relocated for any reason whatsoever, the centerline of said right-of-way shall be modified to reflect the relocated center line of the electric power and communication facilities.

Grantee shall have the full and continuing right to clear and keep clear vegetation within or growing into said right-of-way and the further right to remove or modify from time to time trees, limbs, and/or vegetation outside the said right of way which the Grantee considers a hazard to any of its electric power or communications facilities or a hazard to the rendering of adequate and dependable service to Grantor or any of Grantee's customers, by use of a variety of methods used in the vegetation management industry.

Grantor shall not construct or permit the construction of any structure, obstruction or other hazard within the said right-of-way, including but not limited to, house, barn, garage, shed, pond, pool or well, excepting only Grantor's fence(s) and Grantee's facilities. Grantor shall not construct or permit the construction of any buildings or other structures on land adjoining said right-of-way in violation of the minimum clearances from the lines and facilities of Grantee, as provided in the National Electrical Safety Code.

IN WITNESS WHEREOF, Grantor has executed this Right-of-Way Instrument on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
[Signature of Representative]

Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

Entity Represented: **JEFFERSON COUNTY DRAINAGE DISTRICT NUMBER 7 (Grantor)**

**ACKNOWLEDGMENT ON NEXT PAGE**

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ [Date] by

\_\_\_\_\_ as \_\_\_\_\_  
[Name of Representative] [Title of Representative]

Of JEFFERSON COUNTY DRAINAGE DISTRICT NUMBER 7, (Grantor)  
[Name of Entity Represented]

\_\_\_\_\_  
Notary Public, State of Texas

Stamp  
or  
Seal

Commission expires: \_\_\_\_\_

**AFTER RECORDING, RETURN TO: Distribution Right-of-Way Department, Entergy Texas, Inc., 60 North 11th  
Beaumont, Texas 77702**