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**MINUTES OF VIDEOCONFERENCE MEETING NO. 2336
COMMISSIONERS OF JEFFERSON COUNTY
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

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

Date: November 17, 2020

Present: Commissioners
Richard Beaumont
Lester Champagne
Billy Joe Butler
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
Allen Sims, LJA Engineering
Kim Carroll, Texan 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. 2335

The Minutes of Meeting No. 2335 was approved as read.

Consider Order Canvassing Results and Declaring Results of Election

The Order Canvassing Results and Declaring Results of Election of the November 3, 2020 Election for Commissioners of Jefferson County Drainage District No. 7 was presented to the Board for approval. Attached to the Order is a tabulation of

the votes received by each candidate by precinct for both early voting and the entire election results. Commissioner Champagne moved that the Order be declared valid. The motion was seconded by Commissioner Butler. The motion carried. A copy of the Order Canvassing Results and Declaring Results of Election is attached to and made a part of these minutes.

Issue Certificates of Election and Sign Statements of Officer

Certificates of Election were presented to all Commissioners elected and statements of "no bribery" were sworn to and signed by the Commissioners.

Administer Oaths of Office of Commissioners

Richard D. Beaumont and Matthew E. Vincent were sworn in by Jeri Diane Smith, Notary Public in and for the State of Texas. Mrs. Smith proceeded to administer the Oaths of Office to each Commissioner. The board members are Richard D. Beaumont, Lester Champagne, James Gamble, Sr., Albert Moses, Jr. and Matthew E. Vincent. James Gamble, Sr. was absent from the swearing in ceremony and will be sworn in later.

Election of Officers to the Board of Commissioners

The floor was opened for nomination of officers to the Board. Commissioner Vincent moved that Richard D. Beaumont remain and serve as Chairman and Lester Champagne remain and serve as Vice-Chairman. Commissioner Vincent also moved that Albert Moses, Jr. be nominated to serve as Secretary. Commissioner Champagne seconded the motion. The motion carried. The officers are: Richard Beaumont-Chairman, Lester Champagne-Vice Chairman and Albert Moses, Jr.-Secretary.

Consider Resolution Authorizing Signing of Checks, Etc.

Resolution No. 467 Authorizing Signing of Checks, Etc. was presented for approval. Mr. Phil Kelley stated that due to the November 3, 2020 election results, a Resolution needs to be approved deleting Billy Joe Butler and adding Matthew E. Vincent as a signatory for signing checks on the District's accounts. Commissioner Champagne moved to approve Resolution No. 467 Authorizing Signing of Checks, Etc. Commissioner Moses seconded the motion. The motion carried. A copy of Resolution No. 467 is attached to these minutes and made a part hereof.

Consider Change Order No. 10 for Alligator Bayou Pump Station Annex Project

Change Order No. 10 for Alligator Bayou Pump Station Annex Project was submitted for consideration. Mr. Allen Sims of LJA Engineering stated the change order is for a list of additions and deletions that have occurred over the entirety of the project. Mr. Sims gave a summary of the credits associated with reducing some of the coffer dam items and some structural items such as number and length of concrete piles and length of wingwalls. The total credits amount to Two Million One Hundred Fourteen Thousand Nine Hundred Fifty-Four and 34/100 (\$2,114,954.34) Dollars. Mr. Sims also gave a summary of the installation of four (4) additional pumps, changing piping to stainless steel, tying of wingwall to the bridge and multiple changes to enhance operation and reduce maintenance for a combined total of Five Million One Hundred Thirteen Thousand Eight Hundred Sixty One and 04/100 (5,113,861.04) Dollars. With all additions and credits, the change order will increase the contract amount in the amount of Two Million Nine Hundred Ninety-Eight Thousand Nine Hundred Six and

70/100 (\$2,998,906.70) Dollars, which is approximately five percent (5%) of the project. Mr. Kelley asked if this percent is standard on a project of this size, and Mr. Sims stated it is lower than average. A ten percent (10%) change order of a project this size is more the standard. Commissioner Champagne stated he does not have any questions, but wanted to comment that in looking over the list of additions contained within the Change Order and the items that were already approved by the Board, he feels the actual change order dollar amount is lower than it appears and wants to commend Mr. Sims and the District for keeping the costs so low. Commissioner Champagne further stated he had been at the project site earlier this morning and he is extremely impressed and appreciates all the work that has been done for the project. Mr. Kelley stated when the project was originally bid, there was a base bid of two (2) pumping units plus one (1) and two (2) pumping units plus two (2), on up to a total of six (6), because the District was concerned about its finances and not sure about receiving the grant, but once it was determined the District would have the funds, that's when the District added the other four (4) pumps. Consequently, he also feels with all the extra labor costs and changes in materials the District did well in keeping the costs low. Commissioner Moses confirmed that all the changes are enhancements to the project and commended the Manager and everyone involved with the project on the handling of all the finances. Mr. Kelley stated the District went in debt with the Maintenance Notes, and the payment for this Change Order will go against the balance in the Maintenance Note account which is approximately \$2,900,000.00. The HMGP account contains the reimbursements the District received prior to the issuance of the Maintenance Notes

and has a balance of approximately \$5,900,000.00. Consequently, the District will come out to the good on the project and certainly has the finances to finish the project. Mr. Kelley also stated having Scott Snyder, a District foreman, at the project on a daily basis has been a huge benefit and Mr. Snyder is the one who made most of the suggested changes to make the facility better. Commissioner Champagne moved to approve Change Order No. 10 for Alligator Bayou Pump Station Annex for an increase in the total contract amount of Two Million Nine Hundred Ninety-Eight Thousand Nine Hundred Six and 70/100 (\$2,998,906.70) Dollars. Commissioner Vincent seconded the motion. The motion carried.

Consider Progress Payment No. 70 to Allco, Inc. for Alligator Bayou Pump Station Annex Project

A recommendation letter was received from Allen Sims of LJA Engineering for Progress Payment No. 70 to Allco, Inc. in the total amount of Nine Hundred Seventy Thousand Sixteen and 24/100 (\$970,016.24) Dollars. Mr. Sims stated the Contractor has completed 99.9% of the work using 105% of the contract time. This pay request covers the items included in Change Order No. 10 and covers the work from January to November 2020. There will be at least one more pay request to release the retainage after the remainder of the coffer dam sheet pile is removed and the small 20 X 20 concrete slab is finished. Mr. Sims stated four (4) out of the six (6) pumps have been tested and they ran well and pumped at the capacity expected. The retainage the District is holding is in the amount of \$2,300,000.00. Mr. Kelley stated the District also still owes retainage to Patterson Pump Company, but there are still several items

Patterson Pump Company must address. Commissioner Moses moved to approve Pay Request No. 70 to Allco, Inc. in the amount of Nine Hundred Seventy Thousand Sixteen and 24/100 (\$970,016.24) Dollars. Commissioner Champagne seconded the motion. The motion carried.

Consider Acceptance and Approval of Rodair Gully Drainage Study in Final Form

Mr. Kelley stated the Rodair Gully Drainage Study had been left in draft form due to interest from the general public to review and submit comments. Mr. Sims received a comment that two (2) maps were incorrect and identified the wrong location for as a detention area. The maps are being corrected and the study will be returned in final form next week. Mr. Kelley stated as he had previously explained to the Board, the District does not generally go to the Board to accept a Study, but because there is a lot of work involved in implementing the recommended improvements from this Study and it involves several different funding possibilities from CDBG funds, HMGP funds and potential funds through the General Land Office, he thought it a good idea for the Board to accept the Study in final form. Commissioner Champagne moved to approve the Rodair Gully Drainage Study in Final Form pending corrections in the maps. 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. Contract 1 is currently under construction and underway. Contract 2 (breach area) is expected to have a consulting firm selected and design started by January. Contracts 3 and 3B (area around Valero, Port of Port Arthur and KCS railyard) is at

sixty-five (65%) design and are out for review and comments. Contract 3A (locations starting at Rose Hill working south along the waterway up toward Highway 365 area) has completed the thirty-five (35%) design and the Value Engineering Study is complete. Contract 4 is a catch all project and does not have a lot of progress to report at this time. The utility relocations for all projects are complex and underway with industry coordination and various stakeholders.

Manager's Miscellaneous Reports/Financials

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

Control Center Operation and Pump Station Maintenance Report

- Martin Charles, checking stations & cleaning up @8908
- Joseph Jones, working @ Halbouty 8920
- Thad King, working on hatch cover @ 8912
- Pete Matak, working on hatch cover @ 8912
- Darren David, checking stations & helping @ 8908
- Anthony Lupo, checking unit 1@ Halbouty 8920
- Kenneth Caesar, checking unit 1@ Halbouty 8920

- Joseph Jones, checking mike stations
- Thad King, finishing batching roof @ 8912
- Pete Matak, finishing batching roof @ 8912
- Darren David, checking stations & cleaning
- Kenneth Caesar, working @ 8905
- Anthony Lupo, working @ 8905

- Martin Charles, checking stations & Helping @ 8910
- Joseph Jones, checking mike stations
- Thad King, removing unit#5 @ 8910
- Pete Matak, removing Unit#5 @ 8910
- Darren David, checking stations & helping @ 8910
- Kenneth censor, servicing generator @ 8918
- Anthony Lupo, servicing generator @ 8918

- Martin Charles, checking stations & pumping down @ 8908
- Joseph Jones, checking stations & working @ 8919
- Darren David, helping @ 8910 & checking stations

- Martin Charles, checking stations & cleaning @ 8907
- Joseph Jones, working on mikes stations
- Thad King, working @ 8910 on removing engine
- Pete Matak, working @ 8910 on removing engine
- Darren David, helping @ 8910 & checking stations

- Martin Charles, working @ 8907 & checking stations
- Joseph Jones, working on mike stations
- Darren David, helping @ 8910 & checking stations
- Thad King, working on engine swap @ 8910
- Pete Matak, working on engine swap @ 8910

- Martin Charles, checking stations & pumping @ 8907
- Thad King, working at 8910

Construction Notes - Alligator Bayou Pump Station Annex
October 26, 2020 – November 6, 2020

Monday, October 26:

Alligator Project; Allco is working on site today. Weather conditions were partly cloudy. The site conditions were dry.

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

Allco's crew is working on cofferdam.

Electrical Specialties is on site (3) working on electrical systems in the station.

Tuesday, October 27:

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

Allco superintendents (3) on site Mike Nunez (1), Kevin (1) and Terrell (1) with (4) operators/laborers reported.

Allco's crew is working on the cofferdam.

Electrical Specialties is on site (3) working on electrical systems in the station.

There was 14,000 gallons of diesel fuel sent to the station to fill each 7,000-gallon main fuel tank. It was found that there were a few leaks present in the piping system. The pipe unions and bolts on the pipe flanges were tightened, but the threads on the pipes were still leaking on tank #2. The leak is present where the main fuel intake pipe threads into the tank. Chapman was called to see what can be done to stop the leak.

DD7's Nathan W. and Tony B. installed the angle gear coolant tank after the repairs to the tank's welds were made. They refilled the tank with anti-freeze and checked for leaks. No leaks were found at this time.

Wednesday, October 28:

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

Allco superintendents (1) on site Mike Nunez (1) with (4) operators/laborers reported.

Allco's crew was unable to work on the cofferdam today because of the rain. Mike's crew opened the pump station's main fuel distribution line to check the system for leaks. Five (5) leaks were found, mainly at pipe unions. The crew shut the fuel valve off at the tank and drained the fuel line, attempting to repair the leaks. The crew reloaded the line after their attempts to fix the leaks and only found one (1) leak. The crew redrained the line, repaired the found leak, and reloaded the system. It was noted that there are no visible leaks at this time after reloading the line. The crew turned the fuel transfer pumps on and filled all six (6) engines' day tanks. The process took about one and a half hours to fill all the tanks. The main fuel tank valve was turned off overnight.

Electrical Specialties is on site (3) working on electrical systems in the station.

Simplex is on site (1) setting the tank levels on the main fuel tanks. The technician inspected the return fuel tank system on the station's second floor level and determined that the station may have the wrong style. The technician is suggesting a different return tank on the second floor than the current installed model.

It was noted that there were no test-runs ran on the return fuel lines to the return tanks because the return tanks may need to be replaced.

Thursday, October 29:

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

Allco superintendents (2) on site Mike Nunez (1) and Kevin (1) with (6) operators/laborers reported.

Allco's crew started to pump fuel out of tank #2 and into tank #1 (1,700 gallons). The crew started pumping around 3:00 pm. Allco's dirt crew is digging and removing the beams out from inside of the cofferdam.

Chapman is on site (2) working to repair the two (2) leaks that were found. The crew tried to retighten the unions. Allco's crew started to load the pipes, but it was noted that the Chapman crew left the station because it was taking too long to fill the tanks. Chapman will be back on-site tomorrow to inspect the pipe system.

Electrical Specialties is on site (2) working on the electrical systems.

Friday, October 30:

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

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

Allco's crew finished pumping fuel out of tank #2 and into tank #1. The overhead crane quit working, so Mike is trying to contact someone from the crane company to address the issue. The dirt crew is removing the support beams inside of the cofferdam and continuing to dig more dirt out.

Chapman is on site (2) removing the fuel pipe from tank #2. The two-inch pipe union has galling wear present. The crew will have to cut the union and reweld a new one in this section of pipe. It was noted that this will take a few days to complete.

Electrical Specialties is on site (2) working on the electrical systems.

Monday, November 2:

Alligator Project; Allco is working on site today. Weather conditions were sunny and cold. The site conditions were dry.

Allco superintendents (3) on site Mike Nunez (1), Kevin (1) and Terrell (1) with (3) operators/laborers reported. Mike is starting a new job in Mont Belvieu today, he will be working back and forth.

Allco's crew is working on the cofferdam, digging out mud from inside of the cofferdam and water jetting down the side of each pile that will be cut off tomorrow.

Chapman is on site (2) to install the pipe that was repaired onto tank #2. The crew opened the valves on tank #1 and tank #2 to let the fuel equalize in each tank. They checked for leaks on the thread nipple in tank #2 and it was reported that no leaks were found at this time (1:30 pm).

Electrical Specialties is on site (3) working on electrical systems in the station.

Tuesday, November 3:

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

Allco superintendents (3) on site Mike Nunez (1), Kevin (1) and Terrell (1) with (5) operators/laborers reported.

Allco's crew is spraying a concrete sealer onto the outside wall of the station on the intake side. The sealer is being applied to the wall because was seen coming through cracks on this wall inside of the station during the last rain event water. The pile crew is helping Diver Dan remove cut sheet pile from the cofferdam.

Electrical Specialties is on site (3) working on electrical systems in the station.

Diver Dan is on site (3) cutting sheet pile off the cofferdam.

DD7's Brady Girouard came out to the station with a LJA surveyor to check and reestablish a benchmark for the staff gauge.

A man with Godwin Pump came out to the station to look at where to stage the pumps to pump water into the intake bay when checking the stop-logs and test-running of pumps.

Wednesday, November 4:

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

Allco superintendents (3) on site Mike Nunez (1), Kevin (1) and Terrell (1) with (5) operators/laborers reported.

There was a diesel fuel leak that occurred overnight in the station, leaking fuel all over the main and bottom floors near units # 1, 2, and 3. It is assumed that the head pressure from the main tanks must have bled through the transfer pump on these three units and over filled the day tanks. The fuel was coming out of the day tanks' vents. It took most of the day cleaning up the fuel using Allco's men and DD7's men. DD7's men pumped 100 gallons of fuel out of units # 1, 2 and 3 and 50 gallons out of units # 4, 5 and 6 to lower the fuel levels in the day tanks. The crew pumped the fuel into the main tanks at pump station #16. The main fuel distribution valves to the day tanks are shut off for now, until the issue is resolved.

Electrical Specialties is on site (3) working on electrical systems in the station.

Thursday, November 5:

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

Allco superintendents (3) on site Mike Nunez (1), Kevin (1) and Terrell (1) with (5) operators/laborers reported.

Allco's pile crew is moving back onto the cofferdam and moving the crane support beams so that they can start digging again. Mike's crew installed the staff gauge in the intake bay based off the elevation point provided by DD7's Brady Girouard.

Godwin Pump Company is on site delivering two portable pumps. The crew started to hook up the suction and discharge pipes to the pumps.

Electrical Specialties is on site (3) working on the electrical systems.

Friday, November 6:

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

Allco superintendents (2) on site Mike Nunez (1) and Terrell (1) with (5) operators/laborers reported.

Allco's crew is not working on the cofferdam today.

Godwin Pump Company is on site installing the suction and discharge pipes on their two pumps.

Electrical Specialties is on site (3) working on the electrical systems.

Mr. Kelley stated Allen Sims covered the fact that since yesterday four (4) of the new pumps at the Alligator Bayou Pump Station Annex had been tested. Representatives from Patterson Pump Company and the machinist millwright company that set up all the pumps was there taking vibration checks and all four (4) pumps are operating very well. Tomorrow morning the other two (2) pumps will be tested.

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

Checks & Purchase Orders
Maintenance Fund

Ck. No. 17380 – Duck’s Dragline Service, Inc.
\$16,160.00 – Rental LS250X4 Trackhoe 10/30-11/12/20, Rental
Cutter Head 11/6-11/12/20 and Rental LS250X3 Trackhoe
10/30-11/12/20

Ck. No. 17381 – ESRI, Inc.
\$1,511.25 – ArcGIS Desktop Standard Maintenance Contract
12/01/2020 – 11/30/2021

Ck. No. 17382 – Filmr, LLC
\$108.00 – Social Media Posts

Ck. No. 17383 – Funchess, Mills, White & Co., P.C.
\$5,425.00 – Accounting Services

Ck. No. 17384 – GP Evans Contractors
\$14,621.70 – Mowing Levee

Ck. No. 17385 – Groves Equipment Rental Co., Inc.
\$2,700.00 – Rental 15 Ton Crane, 10/17-11/16/20

Ck. No. 17386 – Higginbotham Insurance Agency, Inc.
\$178.00 – Commissioner Bond for Matthew E. Vincent

Ck. No. 17387 – KSBR LLC
\$30,000.00 – CDBG-MIT Application

Ck. No. 17388 – LJA Engineering, Inc.
\$162,547.68 – Halbouty Detention HMGP Project, Stormwater Management Plan, Sabine Pass to Galveston Project, Rodair Gully Study, Alligator Bayou Upgrade, Hazard Mitigation, Starlake Ditch Remediations, Engineering Fees, Shamrock Ditch Improvements, Nederland, Groves, Port Neches, Port Arthur Coalition and Data System & GIS Project 2021

Ck. No. 17389 - National Networks
\$3,351.24 – Computer Services for December 2020

Ck. No. 17390 Richard Beaumont
\$195.58 – Health Insurance Payment

Ck. No. 17391 – Ron Lewis & Associates
\$3,500.00 – Legislative Consulting Fees

Ck. No. 17392 – Sprint Waste Services, LP
\$8,084.11 – Removal of Waste from Pump Stations August 2020 (3)
and Removal of Waste from Pump Stations October 2020 (3)

Ck. No. 17393 – Tower Medical Center of Nederland
\$4,268.20 – Checking Employees Temperatures and New Employee Physical

Ck. No. 17394 – TWCA Risk Management Fund
\$15.00 – MVR Billing


Ck. No. 1067 - Allco, Ltd.
\$970,016.24 – Alligator Bayou Upgrade

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

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

Mr. Kelley stated that Mr. Billy Joe Butler had been with the District almost twenty-eight (28) years and he wants to make it known to everyone that he has enjoyed working for Mr. Butler and he is not only a good boss, but a friend. He wished Mr. Butler a good retirement and told him to come by and visit any time. Mr. Butler said he enjoyed every minute and thanked everyone. Mr. Kelley thanked Mr. Butler for his service and welcomed Commissioner Vincent.

At 2:35 p.m., Commissioner Vincent moved that the meeting be adjourned. Commissioner Moses seconded the motion. The motion carried.


Albert Moses, Jr., Secretary


Richard Beaumont, Chairman

RESOLUTION NO. 467
AUTHORIZING SIGNING OF CHECKS, ETC.

STATE OF TEXAS §
 §
COUNTY OF JEFFERSON §

WHEREAS, changes in personnel of Jefferson County Drainage District No. 7 require that revisions be made in those persons authorized to sign checks, drafts, orders, and other instruments for the payment of money deposited in Wells Fargo Bank, N.A. (the "Bank"), the designated depository for funds of Jefferson County Drainage District No. 7.

IT IS THEREFORE RESOLVED BY JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7:

That checks, drafts, orders or other instruments disbursing moneys of Jefferson County Drainage District No. 7 in its Maintenance and Operating Fund, Account No. 9568196602, its Insurance Administration Fund, Account No. 1404433466, its Debt Service Fund, Account No. 3296581279, its 2014 Maintenance Note Proceeds Fund, Account No. 5296386906, and its GLO Fund, Account No. 6189767103, be signed by the following authorized officers:

At least three (3) of the Commissioners of Jefferson County Drainage District No. 7 consisting of:

- Richard D. Beaumont
- Lester Champagne
- James Gamble, Sr.
- Albert Moses, Jr.
- Matthew E. Vincent

And one of the following:

Phil Kelley, the Manager or
Julie Ferguson, the Office Supervisor

BE IT FURTHER RESOLVED, that the signatures required on checks drawn by Jefferson County Drainage District No. 7 on its Payroll Fund, Account No. 9568196610 shall contain the signature of Phil Kelley, the Manager.

AND BE IT FURTHER RESOLVED that signature cards be furnished the Bank on said accounts by the authorized officials so designated herein and that the Bank be authorized to receive and make payment on such checks, drafts, orders or other instruments drawn on said accounts if drawn in accordance with the above directions, and if they contain the signatures of the duly authorized officials, whether manual or facsimile, or both.

This resolution shall continue in force until written notice to the contrary is duly served on the Bank.

AND BE IT FURTHER RESOLVED that all prior instructions for signing of checks, drafts, orders or other instruments drawn on said accounts be superseded by the instructions herein contained, to be effective on or after the date of receipt and filing of this Resolution by the Bank.

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. 2336 held on the 17th day of November, 2020, upon motion made by Commissioner Champagne and seconded by

Commissioner Moses and adopted unanimously by said Board, a quorum being present.

Given under my hand this 17th day of November, 2020.


Secretary
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7