

**MINUTES OF VIDEOCONFERENCE MEETING NO. 2380
COMMISSIONERS OF
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

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

Date: September 20, 2022

Present: Commissioners
Albert Moses, Jr. Phil Kelley, Manager
Matthew Vincent Glenn Steele, Attorney
James Gamble, Sr.
Lester Champagne

Absent: Richard Beaumont

Visitors: Allen Sims, DD7
Dean Depew, DD7
Brady Girouard, DD7
Garrett Boudoin, DD7
Chris Sallese, Dannenbaum Engineering Corporation
Ray Russo, Consultant

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

Minutes of Meeting No. 2379

The Minutes of Meeting No. 2379 was approved as read.

Consider Approval of Amended Budget for FY21/22

Mr. Kelley presented the Amended Budget for FY 21/22 for approval. This is an annual formality that is done each year. Mr. Kelley stated that the bottom line total on materials and supplies was increased by \$100,000 and the miscellaneous services bottom line was increased by \$150,000. The increases were necessary due to the

increased cost of fuel, materials, supplies, and services. The special projects bottom line total was reduced by \$250,000 to cover the increase on the other two line item totals. Adjustments were also made to ensure funds were available through the end of the fiscal year should we experience a late developing storm. Commissioner Vincent moved to approve the Amended Budget for FY 21/22 as submitted. Commissioner Moses seconded the motion. The motion carried.

Consider Approval of Budget for FY22/23

Mr. Kelley submitted the proposed Maintenance and Operating Fund Budget for FY 22/23 and the Capital Projects Fund Budget for FY 22/23 for consideration. Mr. Kelley stated the preliminary budget presented at the last meeting remains unchanged and is presented to the board as the budget for FY 22/23. Commissioner Moses made a motion that the Maintenance and Operating Fund Budget for FY 22/23 and the Capital Projects Fund Budget for FY 22/23 be adopted as submitted. Commissioner Vincent seconded the motion. The motion carried.

Consider Resolution Ratifying Amendment No. 1 to the Local Cooperation Agreement with the Texas General Land Office

Mr. Kelley submitted Resolution No 494 Ratifying Amendment No. 1 to the Local Cooperation Agreement with the General Land Office for consideration. He stated, as discussed at the last meeting, the Local Cooperation Agreement (LCA) needed to be amended to extend the deadline to request funding. On September 1, 2022, the District submitted a funding request to the General Land Office (GLO) for \$24.5 million for the District's cost share for Contract 3. Upon receipt of the funding request, the District was advised that the deadline to request reimbursements or advance funding under the LCA expired August 31, 2022. The District worked with the GLO to amend the LCA to extend

the funding request deadline. An Amendment to the LCA was drafted and signed by the District's Chairman extending the term for funding requests until August 31, 2023. The Amendment allowed the GLO approve and fund the \$24.5 million funding request to the District, which was immediately wire transferred to the U.S. Army Corps of Engineers. Commissioner Moses moved to approve the Resolution No. 494 Ratifying Amendment No. 1 to the Local Cooperation Agreement with the General Land Office. Commissioner Gamble seconded the motion. The motion carried. A copy of Resolution No. 494 is attached hereto and made a part hereof.

Consider Pay Request No. 2 to Rebel Contractors, Inc. for Improvements to Blocks Bayou Ditch Phase 1

A recommendation letter to approve Pay Request No. 2 to Rebel Contractors, Inc. was received from Kim Carroll of Texan Engineering & Consulting for Improvements to Blocks Bayou Ditch Phase 1 in the amount of One Hundred Twenty-Nine Thousand Nine Hundred Twenty-One and 17/100 (\$129,921.17) Dollars. Mr. Garrett Boudoin stated that the contractor has progressed approximately 300 feet upstream which is the toughest portion of the project, and the work should move quickly going forward. The contractor has completed seventeen percent (17%) of the work using eighteen percent (18%) of the contract time. Mr. Boudoin stated that he and Mr. Kim Carroll recommend approving the subject pay request. Commissioner Gamble moved to approve Pay Request No. 2 to Rebel Contractors, Inc. for Improvements to Blocks Bayou Ditch Phase 1 in the amount of One Hundred Twenty-Nine Thousand Nine Hundred Twenty-One and 17/100 (\$129,921.17) Dollars. Commissioner Moses seconded the motion. The motion carried.

Consider Approval to attend 2022 TWCA Fall Conference

Mr. Kelley stated that the TWCA Fall Conference will be held in San Antonio on October 5-7, 2022. Commissioner Vincent moved that any Commissioner and staff be authorized to attend. 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 Summary and stated all contract design efforts are moving forward as much as possible pending the resolution of current environmental issues.

Manager's Miscellaneous Reports

The following report was submitted to give an updated status:

Construction Notes - Alligator Bayou Pump Station Annex
August 29, 2022 – September 9, 2022

Monday, August 29:

Alligator Project; Allco crew did not work on site today. Weather conditions were cloudy. The site conditions were dry.

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

Tuesday, August 30:

Alligator Project; Allco crew did not work on site today. Weather conditions were partly cloudy. The site conditions were dry.

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

ESI on site with (1) representative reported.

BLT is on site with (2) representatives reported. Crew is working on the main fuel tank reading on the control room computer. They are also getting the generator reading up on the screen in the control room. The guys could not get the generator readings fixed, waiting on Stewart and Stevenson to send Shane B. different mapping address information for generators.

Wednesday, August 31:

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

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

Thursday, September 1:

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

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

DD7 received 6,000 Gallons of fuel today. BLT fixed the fuel reading in the control room. It now reads gallons over 10,000 on computer screen in pump station control room.

Friday, September 2:

DD7's site representative was not on site today, so a daily report was not generated.

Monday, September 5:

Alligator Project; DD7 and Allco are not working on site in observance of the Labor Day Holiday.

Tuesday, September 6:

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

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

Wednesday, September 7:

Alligator Project; Allco crew did not work on site today. Weather conditions were partly cloudy. The site conditions were dry.

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

BLT is on site with (2) representatives reported. The crew is working on the generator trying to get each generator's reading to show up on the control room's screen. They got generator #1 to read in control room, but not generator #2.

Thursday, September 8:

Alligator Project; Allco crew did not work on site today. Weather conditions were sunny. The site conditions were dry.

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

Friday, September 9:

Alligator Project; Allco crew did not work on site today. Weather conditions were sunny. The site conditions were dry.

Allco superintendent (0) on site with (0) operators/laborers reported.

Allco crew is not on site today.

Mr. Phil Kelley presented the financial statements prepared by FMW, P.C. for the period ending August 31, 2022, and gave a collateral securities report as of August 31, 2022. Each year the annual budget is figured on a 97% tax collection rate. As of August 31, 2022, the District has collected just under 98% of taxes owed.

Mr. Kelley reminded everyone that the District and USACE will hold an Open House regarding the Sabine Pass to Galveston Bay Project. The event will be held at the Robert A. "Bob" Bowers Port Arthur Civic Center on Thursday, September 22, 2022, from 4-7pm. To satisfy Title 5, Texas Government Code, Section 551.002, Open Meetings Requirement, the District posted a notice of meeting for that date and time should 3 or more commissioners attend the open house.

The District and USACE held a public official meeting this past Friday. The City Manager of Port Neches was the only attendee. The District and USACE also attempted to hold a media round table on Monday; however, no attendance confirmations were received, and, therefore, the media round table was cancelled.

Checks & Purchase Orders
Maintenance Fund

Ck. No. 20919 – Beaumont Bone and Joint
\$272.00 – Employee Medical Expense

Ck. No. 20920 – Duck's Dragline Services, Inc.
\$9,400.00 – Rental of LS250X4 Trackhoe

Ck. No. 20921 – Filmr
\$96.00 – Social Media

Ck. No. 20923 – GP Evans Contractors, LLC
\$20,700.00 – Seasonal Mowing Contract

Ck. No. 20923 – Groves Equipment Rental Co., Inc.
\$267.00.00 – Rental of 4.5 Ton Carrydeck

Ck. No. 20924 – KT Trucking and Cattle, LLC
\$2,100.00 – Transport Truck Rental

Ck. No. 20925 – LJA Engineering
\$15,376.13 – Data Collection Sys, Halbouty Det HMGP Project, Stormwater Mgmt Plan

Ck. No. 20926 – LJA Surveying
\$12,500.00 – Beauxart Garden Central Ditch

Ck. No. 20927 – M & S Unlimited Services, LLC
\$3,350.00 – Rental of Crane, operator, and transport

Ck. No. 20928 – National Networks
\$3,719.79 – October 2022 Computer Services

Ck. No. 20929 – Frelow Dump Truck Service
\$1,440.00 – Dump Truck Rental 9/14-9/16/22

Ck. No. 20930 – Port Arthur Newsmedia, LLC
\$194.84 – Advertisement for Bid in Relation to Sabine Pass to Galveston Bay Project

Ck. No. 20931 – Rebel Contractors, Inc.
\$129,921.17 – Contract Payment – Improvements to Blocks Bayou Ditch Phase 1

Ck. No. 20932 – Ron Lewis & Associates
\$3,500.00 – Legislative Consulting Fees

Ck. No. 20933 – Sigma Engineers
\$1,528.80 – Advertisement of Public Hearing on Tax Rate

Ck. No. 20934 – Sprint Waste Services
\$63547.08 – Holding Tanks & Rolloff Bins for various pump stations

Ck. No. 20935 – TWCA
\$2,415.00 – 2022 TWCA Fall Conference Registration

Ck. No. 20936 – Web Development
\$1,200.00 – Web Maintenance

Ck. No. 20937 – LJA Surveying
\$37,323.50 – Sabine Pass to Galveston Bay Project - WIK

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

EXECUTIVE SESSION – Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney and Pursuant to Section 551.072, Texas Government Code, Regarding Property Acquisitions

At 2:17 p.m., the Commissioners entered an Executive Session pursuant to Section 551.071, Texas Government Code, regarding consultation with attorney, and pursuant to Section 551.072, Texas Government Code, regarding property acquisitions.

At 3:19 p.m., the meeting returned to regular session.

Consider and Take Action, if Any, on Items Discussed in Executive Session


No action was taken as a result of the executive session.

Vice Chairman Champagne asked if there was any other business to come before the Board. There was none.

At 3:19 p.m., Commissioner Gamble moved that the meeting be adjourned. Commissioner Vincent seconded the motion. The motion carried.



Matthew Vincent, Assistant Secretary



Lester Champagne, Vice Chairman

RESOLUTION NO. 494
RATIFYING AMENDMENT NO. 1 TO THE
LOCAL COOPERATION AGREEMENT WITH
THE GENERAL LAND OFFICE

STATE OF TEXAS

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COUNTY OF JEFFERSON

WHEREAS, Jefferson County Drainage District No. 7 (the "District") entered into a Local Cooperation Agreement for the Jefferson County Element of the Sabine Pass to Galveston Bay Coastal Storm Risk Management Project (the "LCA") with the General Land Office ("GLO") on October 21, 2019, for funding of the non-federal cost share required for the project; and

WHEREAS, the GLO wishes to extend the deadline date for the District to request reimbursements and advanced funding to continue helping the District with its costs related to the Port Arthur and Vicinity Separable Element of the Sabine Pass to Galveston Bay, Texas Coastal Storm Risk Management Project until August 31, 2023; and

WHEREAS, the LCA needs to be amended to reflect the date of extension to obtain the GLO funding; and

WHEREAS, the District wishes to authorize the District's Chairman to execute Amendment No. 1 to the Local Cooperation Agreement with the GLO on behalf of the District, and to ratify action taken to implement, negotiate, or execute such amendment.

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

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THAT it is in the best interest of the District to enter into Amendment No. 1 to the Local Cooperation Agreement with the General Land Office pertaining to extending the deadline date for the District to request reimbursements and advance funding from the GLO for the Port Arthur Vicinity Element of the Sabine Pass to Galveston Bay Project and authorize its Chairman to execute said Amendment No. 1, and that any actions heretofore taken by the District to implement, negotiate, and execute such amendment are ratified and confirmed in all respects.

That the Chairman 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 Chairman 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. 2380 held on the 20th day of September, 2022, upon motion made by Commissioner Moses and seconded by Commissioner Gamble and adopted unanimously by said Board, a quorum being present.

Given under my hand this 20th day of September 2022.


Secretary
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7