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**MINUTES OF VIDEOCONFERENCE MEETING NO. 2370  
COMMISSIONERS OF  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

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

Date: April 19, 2022

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

Visitors: Allen Sims, DD7  
Garrett Boudoin, DD7  
Dean Depew, DD7  
Kim Carroll, Texan Engineering (via Zoom)

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 Champagne gave the invocation.

Minutes of Meeting No. 2369

The Minutes of Meeting No. 2369 was approved as read.

Sabine Pass to Galveston Bay Project Summary

Mr. Allen Sims stated that Contract 1 is in the construction phase with an estimated completion of July. Contract 2 is in the design phase. The design phase is nearly complete on Contracts 3, 3A and 3B and are expected to go out for bid by the end of the year. The District is currently working on right of way

acquisitions and utility relocates for those projects. Contracts 4 and 5 are in the beginning of the design phase.

Mr. Kelley advised that we will be proceeding with property acquisitions and rights of way for Contract 3 and Contract 3B.

Mr. Kelley also added that the Corps is holding a Small Business Industry Day for the Sabine Pass to Galveston Bay Program Port Arthur Project on May 6, 2022, from 9:00 to 11:00 am at the Carl A. Parker Multipurpose Center. The District has posted the event flyer on the office door, the bank entrance and the District's website. The District is also preparing to email the flyer to local vendors.

#### Manager's Miscellaneous Reports

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

Mr. Kelley presented the financial statements prepared by FMW, P.C. for the period ended March 31, 2022, and gave the collateral securities report as of March 31, 2022.

Mr. Dean Depew advised that routine maintenance is being performed on the pump station equipment and all the pumps and equipment are up and running.

Construction Notes – Alligator Bayou Pump Station Annex  
March 28, 2022 – April 1, 2022

Monday, March 28:

Alligator Project; Allco worked on site today. Weather conditions were sunny with a gusty wind. The site conditions were dry.

Allco superintendent (1) on site with (5) operators/laborers reported.

Allco is cleaning up the construction area, hauling off mats, and loading up equipment.

Tuesday, March 29:

Alligator Project; Allco worked on site today. Weather conditions were sunny with a gusty wind. The site conditions were dry.

Allco superintendent (1) on site with (5) operators/laborers reported.

Allco is cleaning up the construction area and dressing up the levee on the northeast side.

Wednesday, March 30:

Alligator Project; Allco worked on site today. Weather conditions were cloudy with a few showers in the late morning and early afternoon. The site conditions were dry.

Allco superintendent (1) on site with (10) operators/laborers reported.

Allco is prepping the top of the levee for the new asphalt road (graded and primed top of limestone).

Allco had Ace Crane come and look at the overhead crane. They discovered that the issue was stemming from a loose cable guide. Ace Crane will schedule a day when additional mechanics can come and help fix it.

Thursday, March 31:

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

Allco superintendent (2) on site with (10) operators/laborers reported.

Allco is laying asphalt on top of the levee road from the new parking lot to the existing asphalt on the east side of the pump station.

Friday, April 1:

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's crew is not working on site today, but Allco's haul truck is making runs to pick up equipment and remove it from the site.

Executive Session - Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Regarding Settlement Agreement

At 2:06 p.m., the Commissioners entered an Executive Session pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Regarding Settlement Agreement.

At 2:41p.m. the meeting returned to regular session.

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

Commissioner Vincent moved to approve Resolution No. 489 Authorizing the General Manager to Act for the District Under the Star Lake Canal Cooperating Parties Group Participation Agreement. Commissioner Champagne seconded the motion. The motion carried. A copy of Resolution No. 489 is attached hereto and made a part hereof.

Checks & Purchase Orders  
Maintenance Fund

Ck. No. 20021 – 4-Horn Industrial  
\$5,703.59 – Rental of Bomag Drum Roller, Delivery & Pickup Charge & Rental of John Deere Backhoe 3/24-4/21/22

Ck. No. 20022 – Allen Sims  
\$2,343.92 – Reimbursement for Airfare, National Waterways Conference in Washington, DC

Ck. No. 20023 – Duck’s Dragline Service, Inc.  
\$14,480.00 – (2) Trackhoe Rental 4/1-4/14/22

Ck. No. 20024 – FILMR, LLC  
\$72.00 – Social Media Posts

Ck. No. 20025 – FMW, PC  
\$2,300.00 – Accounting Services

Ck. No. 20026 – Function 4 LLC  
\$211.89 – Copier Charges 1/25-4/24/22

Ck. No. 20027 – GP Evans Contractors  
\$16,632.00 – Levee Mowing

Ck. No. 20028 – LJA Engineering  
\$10,982.73 – Develop Data Collection System & Stormwater Management Plan

Ck. No. 20029 – National Networks  
\$3,719.70 – Computer Service for May 2022

Ck. No. 20030 – Nerbert Frelow  
\$4,320.00 – Dump Truck Rental 4/4-4/14/22

Ck. No. 20031 – Perkins Brown Fencing  
\$31,715.89 – Block's Bayou Fencing Relocation

Ck. No. 20032 – Port Arthur News  
\$472.92 – Block's Bayou Improvements

Ck. No. 20033 – Ritter Forest Products  
\$2,015.00 – Mat Rental for Levee Repair 3/28-4/1/22

Ck. No. 20034 – Ron Lewis & Associates  
\$3,500.00 – Legislative Consulting Fees

Ck. No. 20035 – Sprint Waste Services  
\$3,771.11 – Holding Tank and Rollbox Rental for Multiple Pump Stations

Ck. No. 20036 – Tidal Basin Government Consulting, LLC  
\$1,402.50 – Rodair Gully and A-3-A Detention HMGP Projects

Ck. No. 20038 – United of Omaha  
\$1,155.00 – Health Insurance Payment

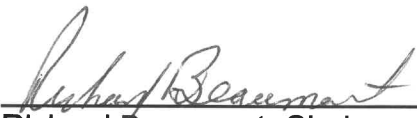
Ck. No. 20039 – Waukesha-Pearce Industries, Inc.  
\$2,734.00 – Bomag Rental – HFPL Repair 3/30-4/12/22

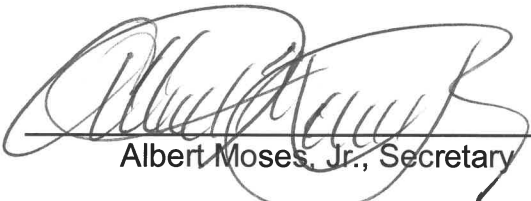
Ck. No. 20074 – Tolunay-Wong Engineers  
\$4,392.50 – Levee Repair -HFPL 3/1-3/16/22

Ck. No. 20075 – Tolunay-Wong Engineers  
\$9,475.00 – Geotechnical Engineering Study, Sabine Pass to Galveston Bay  
Project

Commissioner Champagne moved that the purchase orders and checks from the Maintenance account be approved for payment. Commissioner Gamble seconded the motion. The motion carried.

At 2:43 p.m., Commissioner Moses moved that the meeting be adjourned. Commissioner Champagne seconded the motion. The motion carried.

  
Richard Beaumont, Chairman

  
Albert Moses, Jr., Secretary

**RESOLUTION NO. 489**  
**AUTHORIZING GENERAL MANAGER TO ACT FOR**  
**DISTRICT UNDER THE STAR LAKE CANAL COOPERATING**  
**PARTIES GROUP PARTICIPATION AGREEMENT**

STATE OF TEXAS

§

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COUNTY OF JEFFERSON

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WHEREAS, Jefferson County Drainage District No. 7 (the "District") was identified by the United States Environmental Protection Agency ("EPA") as a potentially responsible party ("PRP") under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675, as amended ("CERCLA"), with respect to the Star Lake Canal Superfund Site in and around Port Neches and Groves, Texas ("Site"); and

WHEREAS, on December 22, 2005, certain Members of the Star Lake Canal Cooperating Parties Group, including the District ("Group") entered into an administrative order ("RI/FS Administrative Order") with the EPA for the performance of a remedial investigation and feasibility study ("RI/FS") regarding the Site; and

WHEREAS, the Remedial Investigation Report and Feasibility Study were made available on or about June 2013; and

WHEREAS, the EPA issued a Record of Decision regarding site remediation on or about September 30, 2013 and issued Special Notice Letter on or about September 15, October 21, 2014 and January 6, 2015, inviting the Members and other PRP's at the Site to negotiate regarding a consent decree for the performance of the remedial design and remedial action at the Site and payment of EPA costs; and

WHEREAS, the Group anticipates entering into negotiations with the EPA regarding the proposed consent decree and/or other CERCLA administrative settlement at the SLC site, and anticipates continuing negotiations with the United States and the State of Texas to resolve potential claims for natural resource damages at the Site (if a natural resource damages settlement is reached, it may be combined in a single consent decree with response action performance); and

WHEREAS, the Members have approved an Interim Allocation of Shared Costs among the Members; and

WHEREAS, without admitting any fact, responsibility, fault, or liability in connection with the Site, the Group wishes to: (1) establish a framework for complying with the terms of the anticipated consent decree and/or an administrative settlement; (2) devote their resources to respond efficiently to any claims that may be asserted by the United States, the State of Texas, or others in connection with the site; (3) allocate among Members common legal, technical, administrative, and other costs incurred in connection with this matter; (4) negotiate a Final Allocation of all response costs and

natural resource damages among themselves and adjust Members' allocation in accordance with the Final Allocation, of all response costs, common legal, technical, and administrative; (5) to the fullest extent permitted by law, be able to share information without waiving any privileges, doctrines, or rules of protection against disclosure that might attach to such information; and (6) cooperate among themselves in these efforts; and

WHEREAS, the District entered into a Partnership Agreement with the members of the Star Lake Canal Cooperating Parties Group pertaining to the Star Lake Canal Superfund Site on August 20, 2015, and authorized the District Manager, Phil Kelley, to execute the Agreement on behalf of the District, and to make decisions on behalf of the District on all matters relating thereto.

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 authorize its Manager to execute any and all instruments, documents, or filings in connection with the accomplishment of the transactions outlined in this resolution, to make decisions and act on behalf of the District on all matters relating to the Participation Agreement and the underlying proceeding, including joining in claims with PRP's to add other parties in this action and to settle claims with advice of counsel on terms he feels most advantageous for the District in his discretion as General Manager, and to certify the adoption of such resolutions to such parties which such Manager deems necessary or appropriate.

That payments required by the District under the Participation Agreement will be paid from current revenues available to the District.

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. 2370 held on the 19<sup>th</sup> day of April, 2022, 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 April 2022.

  
Secretary  
Jefferson County Drainage District No. 7