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**MINUTES OF MEETING NO. 2315  
COMMISSIONERS OF JEFFERSON COUNTY  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

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

Date: January 21, 2020

Present: Commissioners  
Richard Beaumont  
Lester Champagne  
Billy Joe Butler  
James Gamble, Sr.  
Albert Moses, Jr.

Phil Kelley, Manager  
Pete Steele, Attorney

Visitors: Ronnie Hollier, DD7  
Brian McZeal, DD7  
Dean Depew-DD7  
Brady Girouard-DD7  
Garrett Boudoin, LJA Engineering  
Allen Sims, LJA Engineering  
Cody Croley, LJA Engineering  
Margaret Gamble, Port Arthur  
Larry Rhodes, Stillwater Estates  
David French, 3003 Oak West, Nederland  
Nancy French, 3003 Oak West, Nederland  
Earl Richard, Stillwater Estates

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 Gamble gave the invocation.

Minutes of Meeting No. 2314

The Minutes of Meeting No. 2314 were approved as read.

Consider Progress Payment No. 3 to MK Constructors for Improvements to Rodair Gully, Phase V

A recommendation letter was received from Cody Croley of LJA Engineering for Progress Payment No. 3 to MK Constructors for Improvements to Rodair Gully, Phase V, in the amount of One Hundred Seventy-Five Thousand Two Hundred Eighty-Three and 28/100 (\$175,283.28) Dollars. Mr. Croley stated this pay request is for work completed through December 31, 2019. He stated although there were not many working days during the month of December due to weather, the contractor did get a lot of work done for the time they did get to work. The amount of work constructed has been verified and the requested pay request has been reviewed. Mr. Croley submitted photos showing the progress of the work. Commissioner Champagne moved to approve Progress Payment No. 3 to MK Constructors in the amount of One Hundred Seventy-Five Thousand Two Hundred Eighty-Three and 28/100 (\$175,283.28) Dollars. Commissioner Butler seconded the motion. The motion carried.

Consider Resolution Authorizing Temporary Work Area Easement with Premcor Refining Group

Resolution No. 453 Authorizing Temporary Work Area Easement with Premcor Refining Group was presented to the Board for consideration. Mr. Phil Kelley stated this Easement is being required by the Corps of Engineers before they will proceed with Contract No. 1 of the Sabine Pass to Galveston Bay Project, which is the levee raise that goes around the Chevron tank farm on the south end of the refinery. Mr. Brady Girouard stated the District, as Local Sponsor, secures all the temporary work easements, as well as the permanent easements. The terms and conditions of the

Temporary Work Area Easement are not complete at this time; however, Mr. Kelley requested the Board to approve the subject Resolution that authorizes him, as Manager, to execute the Temporary Work Area Easement once the terms and conditions are worked out and approved by the District's attorney. Mr. Kelley stated the Corps has already put the contract out for bids and will open and award the bid in March. Commissioner Gamble moved to approve Resolution No. 453 Authorizing Temporary Work Area Easement with Premcor Refining Group. Commissioner Champagne seconded the motion. The motion carried.

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:

Levee:

- Cutting weed around HFPL sheet pile walls, closure structures and slice gates.
- Spread grass seed at HFPL repair site, Sta. 1314+00 & 1316+25
- Escorted USACE personnel to various sites on the HFPL for Sabine to Galveston Project.
- Cutting weeds and brush on the Seawall from Rose Hill to Lamar State College.

Misc.:

- Checked crossing
- Working spoil at 9<sup>th</sup> Ave. pit.
- Repaired road at 9<sup>th</sup> Ave. pit.

Contractor:

- Ducks Dragline: Spoil removal from Borrow Pit at Sta. 1294+00-Complete

Control Center Operation and Pump Station Maintenance

- King, Matak working on sump at 8910
- Martin, Joe checking stations and helping at 8910
- Darren checking stations and cleaning at 8915
- Ceasar, Lupo cleaning engines at 8918
  
- King, Pete service air compressors
- Martin, Joe painting at 8907, checking stations
- Darren checking stations and cleaning at 8915
- Ceasar, Lupo service unit 8 at 8901
  
- King Pete service air compressors in all stations
- Martin, Joe checking stations and painting 8907
- Darren painting at 8907
- Ceasar service generator at 8901
  
- King, Pete working on sump at 8910
- Martin, Joe checking stations, helping with sump at 8910
- Darren checking stations, helping with sump at 8910
- Ceasar, Lupo service units 1,2,3 at 8917
  
- King, Pete fixing fuel filter housing on generator at 8915
- Martin, Joe checking stations and running engines
- Darren running engines on seawall
- Ceasar, Lupo service engines at 8917
  
- King, Pete finish service on air compressors
- Martin, Joe checking stations and painting at 8907
- Darren checking stations and painting at 8907
- Ceasar, Lupo service engines at 8917

Construction Notes - Alligator Bayou Pump Station Annex  
January 6, 2020 through January 10, 2020

Monday, January 6:

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

Allco superintendents (2) on site Mike Nunez (1) and Terrell (1), with (13) operators/laborers reported.

Allco's crew is working on the forms for the trash rake screen beams. The crew is also setting the main engines' mufflers onto the outside brackets. The pile crew is

digging dirt out from the cofferdam in order to remove the inside sheet pile support beams.

Electrical Specialties is on site (6) working on pulling wire and conduit.

Betco is on site (8) removing the extra scaffolding that are not being used from the intake bays.

Chapman is on site (3) bringing in a pipe threading machine. The crew is working on the air piping from the compressor to the air tanks.

Tuesday, January 7:

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

Allco superintendents (2) on site Mike Nunez (1) and Terrell (1), with (13) operators/laborers reported.

Allco's crew is working on the forms for the trash rake screen beams. The pile crew is continuing to dig dirt out from the cofferdam in order to remove the inside sheet pile support beams.

Electrical Specialties is on site (6) working on pulling wire and conduit.

Chapman is on site (3) working on the return fuel transfer pumps and the air piping from the compressor to the air tanks.

Wednesday, January 8:

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

Allco superintendents (2) on site Mike Nunez (1) and Terrell (1), with (13) operators/laborers reported.

Allco's crew is installing the main engines' mufflers to the outside brackets. The crew is also cleaning out the construction joints and filling them with NP-1 chalk. The pile crew is continuing to dig dirt out from the cofferdam and cleaning mud off the bottom support beams to find where the beams are welded or bolted so that the beams can be cut loose and removed.

Electrical Specialties is on site (4) working on pulling wire and conduit.

Chapman is on site (3) working on the return fuel transfer pump's piping and the piping from the compressor to the air tanks.

Dr. Daniali inspected the rebar in the forms for the trash rake screen beams and confirmed that everything was good. Mike N. can now schedule the concrete pour for the beams tomorrow.

Thursday, January 9:

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

Allco's crew poured the concrete for the trash rake screen's upper beams. The pile crew is continuing to dig dirt out from the cofferdam in order to remove the inside sheet pile support beams.

Friday, January 10:

Alligator Project; Allco is working on site today. Weather conditions were cloudy with a cold front coming through later in the day. The site conditions were dry.

Allco superintendents (2) on site Mike Nunez (1) and Terrell (1), with (13) operators/laborers reported.

Allco's crew is removing the forming braces from the trash rake's upper screen beams that were poured yesterday. The pile crew is continuing to dig dirt out from the cofferdam and removing the lower sheet pile support beams.

Electrical Specialties is on site (4) working on pulling wire and conduit.

Chapman is on site (3) installing the piping to the air tanks and the return fuel transfer pump.

Mr. Dean Depew stated the repaired pump for Pump Station No. 19 has been received but has not been installed at this time due to the weather. It is hoped the repaired pump will be back in-service next week. Unit 5 at Pump Station No. 8 has been sent out for repair to Weisinger, Inc. with an estimated repair time of 2-4 weeks. Mr. Depew is still working out details with Cummins Engine Division on the engines for Crane Bayou and Delmar Pump Stations. Cummins wants to do a vibration study which would include the engine harmonics. Mr. Depew is putting together drawings and specifications, and it still looks like delivery of the engines will be in March or April 2020.

Mr. Brian McZeal gave a brief update on the concrete pavement job at Pump Station No. 5. He stated the Construction Crew has made two (2) concrete pours and is about to begin the third pour. Mr. McZeal submitted some before and after pictures to evidence the work progress, and the job is approximately forty-five percent (45%) complete.

Mr. Ronnie Hollier stated his crews are trimming around various gate structures and spraying herbicide. Levee road surface repair will begin as soon as weather

permits. Mr. Kelley asked if Precinct 2 was still going to work with the District on the levee road surface repair, and Mr. Hollier stated they have not been back in contact, but he will reach out to them to get a status.

Mr. Phil Kelley presented the financial statements prepared by FMW, P.C. for the period ended December 31, 2019, and gave a collateral securities report as of December 31, 2019.

Checks & Purchase Orders  
Maintenance Fund

Ck. No. 15991 – Charles E. Reed & Associates, P.C.  
\$8,000.00 – Independent Auditor Fees

Ck. No. 15992 – Dannenbaum Engineering Corp.  
\$10,892.69 – Sabine to Galveston Project

Ck. No. 15993 – Duck’s Dragline Service, Inc.  
\$7,020.00 – Rental of LS240X2 Trackhoe 1/2-1/9/20 and  
Rental of SS250X3 Trackhoe 1/2-1/9/20

Ck. No. 15994 - Filmr, LLC  
\$188.00 – Editing Film and Social Media Posts

Ck. No. 15995 – Funchess, Mills, White & Co., P.C.  
\$8,900.00 – Accounting Services

Ck. No. 15996 – KT Trucking & Cattle Co.  
\$4,225.00 – Rental of Dump Truck and Transport Truck

Ck. No. 15997 - LJA Engineering, Inc.  
\$64,074.87 – Rodair Gully Widening Phase 5, Stormwater Management Plan, DD7 Cities of Nederland, Groves, Port Neches, Port Arthur Coalition, DD7 Data System, Update Data Operations System, Sabine Pass to Galveston Bay Project, Rodair Drainage Study, Engineering Fees, Alligator Bayou Upgrade and Shamrock Ditch

Ck. No. 15998 – MK Constructors  
\$175,283.28 – Rodair Gully Improvements Phase V

Ck. No. 15999 – Mutual of Omaha Companies  
\$1,070.18 – Health Insurance Payment

Ck. No. 16000 – National Networks  
\$3,223.74 – Computer Services for February 2020

Ck. No. 16001 – Nerbert Frelow  
\$2,400.00 – Dump Truck Rental, 1/6-1/10/20

Ck. No. 16002 – Ritter Forest Products Nederland  
\$1,292.00 – Rental of 14 Mats and Freight Charge

Ck. No. 16003 - Ron Lewis & Associates  
\$3,500.00 – Legislative Consulting Fees

Ck. No. 16004 - Sprint Waste Services, LP  
\$1,500.00 – Removal of Waste from Pump Stations (3) 12/19

Ck. No. 16005 – Tolunay-Wong Engineers, Inc.  
\$4,388.75 – Highway 73 Levee Repair

Ck. No. 16006 – TWCA Risk Management Fund  
\$571.00 – Policy Change to Add New Truck

Ck. No. 16007 – USAED Galveston District  
\$30,000.00 – Engineering Fees Deposit for Section 214  
Funds for 408 Permits

Ck. No. 16008 – Waukesha-Pearce Industries, Inc.  
\$20,365.00 – Rental of Komatsu Excavator, two (2) Komatsu  
Dozers and two (2) Bomag Soil Compactors

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

Chairman Beaumont recognized visitors in attendance and asked if anyone would like to address the Board. Mr. Earl Richard of Stillwater Estates stated that the residents of Stillwater Estates are having a meeting that is tentatively set at Sombero's Restaurant on January 30, 2020 at 6:00 p.m. He said they would like to have a



representative of the District come to the meeting and enlighten everyone on the Rodair Gully situation and explain the plan to remedy the flooding situation. Mr. Richard said he would confirm the day, time and place of the meeting and let the District know.

Mr. Larry Rhodes asked if the District had an emergency number to call on weekends. Mr. Kelley stated the main office number is transferred at the end of the day to the District's Control Center. Generally, if there is no rain on the weekend, an employee visits the Control Center to verify all is okay and no one mans the Control Center unless there is a rain event. Mr. Rhodes said there was a rain event and he had tried to call and only got an answering machine, but his wife put a post on the District's facebook page, and he got a response very quickly, which he appreciated. Mr. Kelley stated the contractor working the Rodair Gully Improvement Project had failed to remove the coffer dams and this could have caused a problem. The District has new procedures in place for monitoring this area during rain events, and the Control Center personnel have been briefed and will also check with the contractor to be sure the coffer dams have been removed. District crews have also been made aware of the project and will report to the Control Center if they observe the coffer dams in place while checking road crossings. Mr. Rhodes also stated the sewer backs up during rain events, and Tommy McDonald with Water District No. 10 is working with them on this issue.

Mr. David French who lives in Forest Central Addition in Nederland addressed the Board and stated he had not been to a District Board meeting lately and wanted an update of the Rodair Gully study. Mr. Brady Girouard stated an update was given at the

last meeting, and Mr. Kelley stated the minutes of the meeting will reflect what was reported. Mr. Girouard said the bathymetric data is being merged with the LIDAR information to create the hydraulic models. Mr. Allen Sims of LJA Engineering stated his best guess on having answers on what modifications and improvements need to be made is within two months or so and he explained the process for identifying the solutions. Mr. French asked about expected solutions. Mr. Sims stated his gut feeling is that the problem is going to be the railroad crossing at West Port Arthur Road and possibly the highway crossing. Upgrading the railroad and highway crossings will not be able to be done quickly. The Railroad Company and TXDOT will have to be contacted and there is no way to know how long it will take them to get this done.

Mr. Sims also reported that he went to a meeting last week regarding new grant funds that the General Land Office (GLO) is coming out with. Rules are currently being written, the GLO has not published this information yet and applications are not due at this time. The biggest thing that came out of the meeting is that the GLO got 4.2 billion dollars to give out that has been broken into sixteen (16) categories. The biggest category is 2.7 billion dollars in grants. This is the first time that Drainage Districts will be eligible to apply for these Community Development Block Grants ("CDBG"). It is called mitigation money and there may be some low/mod income requirements. Mr. Sims wants to do a rough estimate right now and prepare a preliminary application to file in the 2.7-billion-dollar category, which is to pay for construction projects, and the District could use it for a pump station for Rodair Gully. His rough estimate for a pump station has been 100 million dollars, and the largest construction project that will be

funded in the 2.7-billion-dollar category is a 100-million-dollar project and the smallest is a 5-million-dollar project. Mr. Sims said he wants to get with Mr. Kelley and see if they can get an estimate for a pump station put together for under a 100 million and then go ahead and prepare an application to be ready to submit when the times comes. He would like to do this even before the study is finished. It can't hurt to file the grant application even if it is highly competitive.

Mr. French also asked if there have been any determinations on dredging Rodair Gully to its original depth downstream. Mr. Sims stated this is also being reviewed and discussed and he and District staff are trying to schedule a meeting with the County because they can apply for a grant to do this. In addition, Mr. Sims is working with Chris Sallese of Dannenbaum Engineering because Mr. Sallese is so familiar with dredging projects. The dredging part would be the cheapest part of this type of project and the environmental and spoil area would be the most expensive parts. The information Mr. Sims currently has, including the bathymetric data, shows the impact of dredging the lower end of Rodair Gully would only make an inch difference in Stillwater Estates. It would make more of an impact on the West Port Arthur end, but the benefits of dredging the bottom end will play out before reaching the top end because of the elevation differences and the fact that the channel becomes the controlling factor and not the discharge points.

Mr. Kelley stated he also mentioned at the last meeting that it is likely that the District will have to partner with Drainage District No. 6 who he thinks is currently doing bathymetric surveys of Taylors Bayou and Hillebrandt because everything feeds into

Taylor's Bayou. He feels it will be of benefit to the District regardless of what is done to partner with Drainage District No. 6 or co-sponsor a grant application.

Mr. Rhodes asked if there are other alternatives to dredging like going in with marsh buggy track hoes and pulling out spoil and putting it on the bank while waiting on the completion of the study or permits. Mr. Kelley stated he feels this could not be handled that way because it is on too large of a scale and the District would be prohibited from performing work within wetlands without a permit. He also stated that from Highway 365 back upstream toward West Port Arthur Road would likely need to be dredged with Dragline type equipment. Mr. Sims explained the surface area versus velocity and the effects of the width and the depth of the channel at different locations. He is not sure at this time if the speed of the flow can be increased by dredging.

Mr. French asked if there has been any progress on finding detention area. Mr. Sims stated the District has been talking with the County about utilizing some land they own below the prison road (3514) and Rodair Gully and the now abandoned youth prison for a detention pond. Mr. Kelley stated one of the grants the District has filed for is for Rodair Detention and that idea would benefit the land closer to the Stillwater area. The District has water that comes under the LNVA Canal into the system from Central Gardens, and if the District could remove that water and Stillwater Estates' water, that would create additional space for stormwater downstream.


Mr. Rhodes then stated Entergy has a huge project in the back of Stillwater and they have built up the area so much that it makes Stillwater Estates flood more quickly than before. He was told by one of Entergy's engineers that there were four (4) drains

that drain back into the District's canal, but he can only find one at Price Street. Mr. Brady Girouard stated Entergy was not required to get a permit from the District for that project because it was prior to the District passing its Drainage Criteria Manual and the District had no regulatory authority over the road going back to the site. Mr. Earl Richard stated he was told that Entergy was going to put two more drains on the road, but Mr. Richard does not think this will help. Mr. Girouard stated he assumes Mr. Rhodes and Mr. Richard are speculating that the water that previously used to flow across the right-of-way into the District's Lateral 6 is now ponding to a point back into Stillwater Estates. Mr. Rhodes and Mr. Richard both said yes.

Mr. French then asked about pumping east from the leg in Central Gardens and moving Water District No. 10's water that way. He feels like going to the Neches River will solve the problems. Mr. Sims stated there is a meeting in place for Thursday with the Railroad Company because the biggest limiting factor is the railroad crossings going that direction. Mr. French also asked about the gravel ponds behind County Home and Ranch that are pumping into Rodair Gully. Mr. Girouard stated that they do coordinate with the District on the pumping although there is no formal agreement on what can be discharged. Mr. Girouard has been talking to the owners quite often since the Rodair Gully Improvements Phase V Project began. Mr. Kelley stated the District is also trying to tract down the owner of the abandoned house in Forest Central, and Mr. French stated no one has lived in the house since Harvey. The District's idea is to acquire the property and create an open ditch from the street to the District's concrete channel

behind the existing house to try to move the water that bottlenecks in that corner of the street quicker.

At 2:38 p.m., Commissioner Gamble moved that the meeting be adjourned. Commissioner Champagne seconded the motion. The motion carried.

  
Billy Joe Butler, Secretary

  
Richard Beaumont, Chairman

**RESOLUTION NO. 453  
AUTHORIZING TEMPORARY WORK AREA EASEMENT WITH  
PREM COR REFINING GROUP**

STATE OF TEXAS	§
	§
COUNTY OF JEFFERSON	§

WHEREAS, Jefferson County Drainage District No. 7 (the "District") desires to enter into a Temporary Work Area Easement ("Easement") with Premcor Refining Group ("Premcor") pertaining to certain tracts of land more particularly described in said Easement for the construction of the Port Arthur and Vicinity Separable Element of the Sabine Pass to Galveston Bay, Texas coastal storm risk management project authorized by Section 1401 (3) (3) of the Water Resources Act of 2018, Public Law 115-270; and

WHEREAS, Premcor will grant said temporary work area easement and right-of-way in, on, over and across the subject tracts of land for a period not to exceed twenty-four (24) months for use by the District as set out in said Easement.

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 Temporary Work Area Easement with Premcor Refining Group pertaining to certain tracts of land more particularly described in said Easement for the construction of the Port Arthur and Vicinity Separable Element of the Sabine Pass to Galveston Bay, Texas coastal storm risk management project authorized by Section 1401 (3) (3) of the Water Resources Act of 2018, Public Law 115-270, for a period not to exceed twenty-four (24) months.

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, Billy Joe Butler, 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. 2315 held on the 21<sup>st</sup> day of January, 2020, upon motion made by Commissioner Gamble and seconded by Commissioner Champagne and adopted unanimously by said Board, a quorum being present.

Given under my hand this 21<sup>st</sup> day of January, 2020.

  
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Secretary  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7