

**MINUTES OF VIDEOCONFERENCE MEETING NO. 2412
COMMISSIONERS OF
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

Place: 3400 Hwy 73
Port Arthur, Texas

Date: February 6, 2024

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

Visitors: Allen Sims, DD7
Toby Davis, DD7
Dean Depew, DD7
Garrett Boudoin, DD7
Kirby Johnson, DD7
Barron Cook, DD7
Kim Carroll, Texan Engineering & Consulting, LLC
John Johnson, Griffith Mosely Johnson and Associates, Inc. (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 Moses gave the invocation.

Minutes of Meeting No. 2411

The Minutes of Meeting No. 2411 was approved as read.

Mr. Phil Kelley introduced LaKisha Gloston as the District's new secretary/receptionist.

Consider Resolution Authorizing Amended Tax Abatement Agreement with Arbor Renewable Gas LLC

Resolution No. 509 regarding the authorization of an Amended Tax Abatement Agreement with Arbor Renewable Gas LLC was presented for consideration. Mr. Phil Kelley introduced Mr. John Johnson with Griffith Mosely Johnson and Associates, Inc., appearing via

Zoom. Mr. Johnson stated that this is a carbon capture project. Currently, the Environmental Protection Agency is responsible for permitting these types of projects, which is a very slow process. The state of Texas has applied for privacy which would allow permitting to be completed directly through the state. Although the state of Texas has applied for privacy, the permitting is still behind schedule. Delaying the start date of the project would allow the permitting process to catch up with the project construction process. Mr. Kelley stated that Jefferson County Commissioners Court has approved the Amended Tax Abatement with Arbor Renewable Gas LLC and he recommends approval of the Amendment. Commissioner Champagne motioned to approve Resolution No. 509 authorizing the Amended Tax Abatement Agreement with Arbor Renewable Gas LLC. Commissioner Moses seconded the motion. The motion carried. A copy of Resolution 509 is attached hereto and made a part of these minutes.

Consider Order of Election

Mr. Kelley submitted the form of the Order of Election and requested the Board approve the form and call the election. Commissioner Vincent moved to approve the Order of Election. Commissioner Gamble seconded the motion. The motion carried.

Consider Approval to Advertise for Bids for Emergency Disaster Assistance Recovery Services

Mr. Kelley requested approval to advertise for bids for Emergency Disaster Assistance Recovery Services. Mr. Sims stated that every 4 years the District requests bids for all services and goods that may be required during a storm event. Examples of possible services or goods needed are debris cleanup, debris monitoring, cots, food, portable bathrooms, kitchens, generators, etc. For the cost of these services to be reimbursed by FEMA, the services must be bid on and awarded. Having the Disaster Assistance Recovery Services in place before a storm event saves time and ensures that all goods and services are available when and if needed.

Commissioner Moses moved to approve the request to Advertise for Bids Emergency Disaster Assistance Recovery Services. Commissioner Champagne seconded the motion. The motion carried.

Consider Approval to Advertise for Bids for Emergency Standby Fuel Supply

Mr. Kelley requested approval to advertise for bids for Emergency Standby Fuel Supply. Mr. Sims stated that these contracts are also renewed every 4 years. This service allows the District to strategically position fuel tankers on the levee for easy access to fuel for pump stations should additional fuel be needed. Commissioner Champagne moved to approve the request to Advertise for Bids for Emergency Standby Fuel Supply. Commissioner Gamble seconded the motion. The motion carried.

Consider Approval to Attend TWCA 2024 Annual Convention

Mr. Kelley stated that the TWCA 2024 Annual will be held in Bastrop, Texas March 6 - 8, 2024. Commissioner Champagne moved that any Commissioner and/or staff be authorized to attend. Commissioner Vincent seconded the motion. The motion carried.

Consider Approval to Attend National Waterways Conference 2024 Legislative Summit

Mr. Kelley stated that the National Waterways 2024 Legislative Summit will be held in Washington, D.C. March 11 - 13, 2024. Commissioner Moses moved that any Commissioner and/or staff be authorized to attend. Commissioner Vincent seconded the motion. The motion carried.

Sabine Pass to Galveston Bay Project Summary

Mr. Allen Sims stated that a monthly project progress and financial report is now required by the General Land Office (GLO). The December 2023 and the January 2024 reports were provided to each commissioner for review. The reports stated that a meeting was held with the

USACE and the Port of Port Arthur to determine gate locations. USACE's Office of Counsel formally approved the use of industrial standards for monitoring and application for the HTRW process at Valero. This decision will likely set a precedent for similar projects throughout the United States. A pre-proposal meeting is set for Thursday, February 8, 2024, for Contract 4 which includes the area between Rosehill and Lakeview Pump Station. The procedure dictates that firms submit qualifications first, and the selected firms will then bid on the construction portion of the contract. Mr. Kelley stated that the funds that the District receives from the state are now being funneled through the Gulf Coast Protection District (GCPD). A request for \$1.5 million in advanced funding has been made to the GCPD for property acquisitions and relocations. The next GCPD meeting will be held in the District board room on February 14, 2024.

Manager Reports

Mr. Allen Sims stated that a letter was received from the General Land Office (GLO) advising that the projects submitted by the District have been approved for Community Development Block Grant Mitigation (CDBG-MIT) funds totaling approximately \$41.3 million. The projects that were submitted and approved are the Halbouty Detention Pond Expansion, Various Pump Station Improvements, and the SCADA System. The letter included a request for updated information on a few items before the contracts can be executed. The District is compiling the required information for submittal. Nine pump stations will be modified/updated with this grant.

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

No executive session was held.

Checks & Purchase Orders

Maintenance Fund

Ck. No. 23629 – Allterra Central, Inc.
\$750.00 – VRS Subscription 1/1/24 – 12/31/24

Ck. No. 23630 – Bee Solutions, LLC
\$850.00 – Honey Bee Control, Trash Rake PS 15

Ck. No. 23631 – Bruce Kirkgard
\$117.25 – TWIC Card Renewal Reimbursement

Ck. No. 23632 – Dan Delich Consulting
\$2,500.00 – Legislative Consulting Fees

Ck. No. 23633 – DE Corp.
\$4,833.47 – Groves Detention HMGP Project

Ck. No. 23634 – DISA, Inc.
\$25.00 – Pre-Employment Drug Screen

Ck. No. 23635 – Electrical Specialties, Inc.
\$45.00 – Alarm System Monitoring -Admin Building

Ck. No. 23636 –FILMR, LLC
\$120.00 – Social Media Posts

Ck. No. 23637 – FMW, Inc.
\$2,300.00 – Accounting Services for December 2023

Ck. No. 23638 – Freese and Nichols, Inc.
\$450.00 – Transport Fee for Picker to PS 7

Ck. No. 23639 – Function 4, LLC
\$186.30 – Quarterly Copy Charge for Leased Copier

Ck. No. 23640 – Groves Equipment Rental Co., Inc.
\$2,700.00 – 15 Ton Terrain Crane Rental 1/7 - 2/16/24

Ck. No. 23641 – James Gamble, Sr.
\$270.00 – Health Insurance Payment

Ck. No. 23642 – Jefferson County Tax A/C
\$24,700.62 – 2023 Tax Year Collection Fee

\$1,350.00 – Sabine Pass to Galveston Bay Project PS 18 Pipeline Abandonment

Ck. No. 23645 – Mazzanti & Associates, LLC

\$2,500.00 – Legislative Consulting Fees

Ck. No. 23646 – McGriff

\$122.00 – Interim Tax Assessor Bond Fees

Ck. No. 23647 – Mustang Cat

\$1,891.70 – Caterpillar Trackhoe Rental, Admin Building

Ck. No. 23648 – National Waterways Conference, Inc.

\$1,350.00 – Registration Fees for 2024 National Waterways Conference Legislative Summit

Ck. No. 23649 – Overhead Door Company

\$600.85 – Garage Door Repair – Alligator Bayou Upgrade

Ck. No. 23650 – Port Arthur News Media, LLC

\$391.96 – Advertising Fee – Diesel Engine Replacement

Ck. No. 23651 – Ray Russo

\$7,361.35 – Legislative Consulting Fees

Ck. No. 23652 – Ritter Forest Products Nederland

\$2,940.00 – Sabine Pass to Galveston Bay Project – Mat Rental

Ck. No. 23653 – Ron Lewis & Associates

\$3,500.00 – Legislative Consulting Fees

Ck. No. 23654 – Sam & Tash Servies, Inc.

\$1,569.62 – Janitorial Services for Administration Building

Ck. No. 23655 – Signature Group

\$10,876.26 – Groves Detention HMGP Project

Ck. No. 23656 – Sunbelt Rental

\$1,068.25 – Scissor Lift Rental – Fab Shop Engine Room

Ck. No. 23657 – Texan Engineering & Consulting, LLC

\$17,200.00 – HMGP Planning / General Engineering

Ck. No. 23658 – Thorpe Plant Services Corporation

\$5,518.48 – Scaffold Rental – Erection & Dismantle Fee

Ck. No. 23659 – TWCA Risk Management

\$224.00 – Commercial Property Insurance Amendment

Ck. No. 23660 – Wave Solutions LLC

\$3,864.00 – Monthly Email Service & IT Support

Ck. No. 23661 – Wells Fargo

\$436.93 – Travel & Meetings – Diesel Engine Replacement

Ck. No. 23662 – De Corp.

\$7,733.44 – Sabine Pass to Galveston Bay Project

Ck. No. 23663 – FMW, P.C.

\$7,250.00 – Sabine Pas to Galveston Bay Project Accounting Services

GLO Account

Ck. No. 5056 – Texan Engineering

\$4,310.25 – Sabine Pass to Galveston Bay Project

Ck. No. 5057 – LJA Environmental Services

\$31,052.68 – Sabine Pass to Galveston Bay Project

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

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

At 2:20 p.m., Commissioner Moses moved that the meeting be adjourned.

Commissioner Vincent seconded the motion. The motion carried.



Richard Beaumont, Chairman



Albert Moses, Jr., Secretary

RESOLUTION NO. 509
AUTHORIZING AMENDED TAX ABATEMENT AGREEMENT
WITH ARBOR RENEWABLE GAS LLC FOR PROPERTY
LOCATED IN THE ARBOR REINVESTMENT ZONE

STATE OF TEXAS

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COUNTY OF JEFFERSON

WHEREAS, Jefferson County Drainage District No. 7 (the "District") adopted Resolution 258 on October 15, 1996, setting forth its policy concerning tax abatements; and

WHEREAS, the District has memorialized, restated and amended its tax abatement policy several times through the years, with its last amendment being by Resolution 498 on January 3, 2023, adopting the Jefferson County Amended Uniform Tax Abatement Policy-2022 as its tax abatement policy; and

WHEREAS, the District entered into a Tax Abatement Agreement with Arbor Renewable Gas LLC, for property located within the Arbor Reinvestment Zone for the construction of a new Renewable Gasoline Manufacturing Facility and related improvements (the "Project") on September 15, 2021; and

WHEREAS, Arbor Renewable Gas LLC, as owner of the real property made the basis of the subject Abatement Agreement, desires to delay the beginning date of tax abatement period and obligations outline in the abatement agreement due to reasons beyond its control; and

WHEREAS, it is in the best interest of the District to enter into an Amended Tax Abatement Agreement (in the form and content of that approved by the Commissioners' Court of Jefferson County) with Arbor Renewable Gas LLC and to authorize the District's

Manager, Phil Kelley, to execute the Amended Tax Abatement Agreement 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 an Amended Tax Abatement Agreement with Arbor Renewable Gas LLC for property located within The Arbor Reinvestment Zone for the construction of a new Renewable Gasoline Manufacturing Facility and related improvements to extend the completion date until the first quarter of 2026 to accommodate the production of Renewable Gasoline Manufacturing Facility, and authorize its Manager, Phil Kelley, to execute on behalf of the District the Amended Tax Abatement Agreement attached hereto as Exhibit "A" and made a part hereof by reference. All other terms and conditions of the original Abatement Agreement will remain in full force and effect.

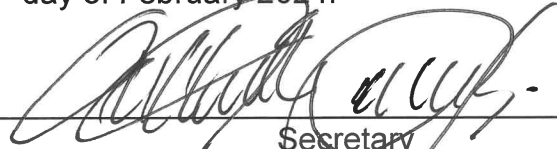
THAT the terms of the Amended Tax Abatement Agreement and the property subject to the agreement meet the applicable guidelines and criteria adopted by the Board of Commissioners of the District under Section 312.002, Texas Tax Code.

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. 2412 held on the 6th day of February 2024, 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 6th day of February 2024.



Secretary
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7