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**MINUTES OF VIDEOCONFERENCE MEETING NO. 2348
COMMISSIONERS OF JEFFERSON COUNTY
DRAINAGE DISTRICT NO. 7**

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

Date: May 18, 2021

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

Visitors: Allen Sims, DD7
Brady Girouard, DD7
Garrett Boudoin, DD7
Dean Depew, DD7
Kirby Johnson, DD7
Kim Carroll, Texan Engineering (via Zoom)
David French, Nederland (viz Zoom)
Ron Burton, City Manager, Port Arthur
Donald Frank, City of Port Arthur Councilmember
Pamela Langford, Director of Development Services, City of Port Arthur

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. 2347

The Minutes of Meeting No. 2347 was approved as read.

Mr. Phil Kelley introduced the District's new employee Kirby Johnson and stated Mr. Johnson has a degree in Mechanical Engineering and experience in pipeline structural engineering. The District is glad to have Mr. Johnson on board.

Consider Approval to Attend TWCA Summer Conference

Mr. Phil Kelley stated the TWCA Summer Conference will be held at Horseshoe Bay Resort on June 9-11, 2021. Commissioner Gamble moved that any Commissioner and staff be authorized to attend. Commissioner Champagne seconded the motion. The motion carried.

Consider Pay Request No. 6 to Norman Highway Constructors, Inc. for Improvements to Lateral A-3-A Crossings at Hogaboom Road and Baird Street

A recommendation letter was received from Kim Carroll of Texan Engineering & Consulting for Pay Request No. 6 to Norman Highway Constructors, Inc. for Improvements to Lateral A-3-A Crossings at Hogaboom Road and Baird Street in the amount of Forty-Six Thousand Five Hundred Seventy-Two and 84/100 (\$46,572.84) Dollars. Mr. Garrett Boudoin stated the pay request is for work completed from April 15 through May 11, 2021 and is closing out the Hogaboom phase of the project. The contractor has demobilized, taken the traffic control out and the street is now open. The improvements performed very well during the rain event yesterday and no problems were encountered. The contractor has done a great job on this phase of the project and is beginning the Baird Street phase. The contractor has completed 70% of the work using 62% of the contract time. Commissioner Champagne moved to approve Pay Request No. 6 to Norman Highway Constructors, Inc. for Improvements to Lateral A-3-A Crossings at Hogaboom Road and Baird Street in the amount of Forty-Six Thousand

Five Hundred Seventy-Two and 84/100 (\$46,572.84) Dollars. Commissioner Moses seconded the motion. The motion carried.

Consider Resolution Authorizing Amended Tax Abatement Agreement with Emerald Biofuels

Resolution No. 475 Authorizing Amended Tax Abatement Agreement with Emerald Biofuels was presented to the Board for consideration. Mr. Phil Kelley stated the County approved the Amended Tax Abatement Agreement with Emerald Biofuels on May 11, 2021, wherein the term of the abatement was extended due to COVID, and the Reinvestment Zone was enlarged. A representative of Emerald Biofuels had previously contacted the District regarding this Amendment which prompted the District to post its notice to consider the amendment on April 12, 2021 to provide the required 30-day notice period. Since such time, the District has not been contacted by Emerald Biofuels nor has it been provided with a proposed Amended Tax Abatement Agreement to consider. The Board may approve Resolution No. 475 Authorizing the Amended Tax Abatement Agreement subject to the District receiving an Amended Tax Abatement Agreement from Emerald Biofuels that mirrors the County's Agreement or pass the agenda item to a later date. If the Board decides to pass the item, the District will be required to post another 30-day notice of the Amended Tax Abatement Agreement consideration. Commissioner Vincent moved to approve Resolution No. 475 Authorizing Amended Tax Abatement Agreement with Emerald Biofuels subject to receipt of an Amended Agreement that mirrors the County's Agreement and authorizes the District's Manager to sign said Amended Agreement. Commissioner Moses

seconded the motion. The motion carried. A copy of Resolution No. 475 is attached hereto and made a part hereof.

Sabine Pass to Galveston Bay Project Summary

Mr. Brady Girouard gave a brief update on the Sabine Pass to Galveston Bay Project ("SP2GB") Project. Contract 1 is still underway. Technical issues are being worked through that are preventing good progress. There is a requirement to create a Temporary Flood Protection ("TFP") plan to have no more than 500-foot of levee breached at any one time, and the Corps' contractor is working diligently to have that 500-foot complete or minimized by June 1. The TFP plan material is onsite, and upon receipt of a 24-hour notice, the Contractor must erect an earthen levee for temporary flood control within the 24-hour period. Contract 2 is still in its early stages. The District is receiving requests for proposals for work in kind; however, there is currently no significant progress. Contract 3 had some technical issues resolved during a good meeting yesterday, which will allow moving forward with relocates and gives a good path forward. Said meeting helped resolve the same type of issues with Contract 3B. Contract 3A is approaching 65% design level and as soon as relocate efforts are resolved on Contract 3 and 3B, Contract 3A will begin. Contracts 4 and 5 have no movement and will remain the same until other contract issues are resolved.

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:

- Pear Ridge Main 2 and Lats. 2, 3 & 4, Park Place Lat., Williams Ave., Block Bayou
- Pine Street Ditch, Pear Ridge Lat. 4A, Griffin Park Ditch
- Pear Ridge Main 1 and Ext. Armor Stone (Rose Hill), A3, A3A and Bypass, A3B
- Rodair Gully Lat. 5, State Prison Outfall, Rodair Gully Lats. 2 and 3
- B2, B3, B4, A1C, Pear Ridge Main Lat. 1, Armor Stone from PS 9-PS10, GSU Ditch

Levee:

- Dry run to set panels at the Port of Port Arthur and KCS yard scheduled for 5/17/21.

Misc.:

- Clean up underbrush at Rodair Gully Project

Contractor:

- GP Evans Contractors: Mowing HFPL and District Right-of-Ways 7, 8, 9, 9A, 10, 10B, 11, 11A, 12, 13 and 14

Construction Notes - Alligator Bayou Pump Station Annex

April 26, 2021 – May 7, 2021

Monday, April 26:

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

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

Allco is water jetting around the sheet piling and preparing to pull more sheets.

The crew is also welding steel plates to the tops of the piling for reinforcement.

DD7's Scott and Nathan are gathering tools to try and tighten the flange bolts on unit # 3's pump.

Tuesday, April 27:

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

The site conditions were dry.

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

Allco's crew pulled (3 to 4) sheets today. It was noted that all the sheets that were pulled today were hard to get out of the ground, but the crew managed to get the sheets out and laid them on the West side of the canal to get them out of the water.

DD7's Scott, Nathan, Bryan, and Tony tightened (8) bolts on unit # 3's pump flange about ¼ to 3/8 of a full turn. The guys ran the pump and found that water is still leaking around the bolts and dripping down.

Wednesday, April 28:

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

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

Allco pulled the (10) sheets today until they started having problems with the Vibro and had to stop pulling sheets.

B.L. Technology (1) is on site downloading programs out of each engine panel.

E.S.I. (1) is on site to repair the electric air compressor.

DD7's crew and Shane (with ESI) tested the return fuel system. The guys started the pumps and the system shut down due to loss of flow. The crew tried to prime the system with a hand pump and an electric pump, but still had loss of flow after running the pumps again. The guys inspected inside of the tank and found a hole in the suction pipe located inside of the tank at the top. The assumption is that the hole in the suction pipe is not allowing the pump to be primed. It is not known if the pump suction pipe is connected to the right pipe on the day tank. Scott has requested someone from Simplex to come out to the station and check the system. One of the guys held a finger over the hole in the suction pipe and the pumps were able to pump the fuel back to the main tanks. After looking in the main fuel tank building, the guys found (3) unions leaking fuel out of the return line running to the main tank.

Thursday, April 29:

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

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

Allco's crew is waiting on a mechanic to come repair the Vibro's power unit.

DD7's Scott, Nathan, and Tony are working on unit #2's clutch air compressor.

The air pack was delivered back to the station from Kraft (Transfluid). Transfluid claims that they inspected the air pack and found nothing of concern with it. DD7's crew installed it back on unit #2 and started the engine. The engine clutched in and the air pressure came up to 150 p.s.i., the air pressure should be at 175 p.s.i. When the compressor kicks on, the air pressure is dropping to 140 p.s.i. and then is pumped up to 150 p.s.i. This cycle is occurring about every 20 seconds while the engine is running. The clutch's r.p.m.s are reading the same (1147 in) and (1147 out), but the guys did find any air leaks on the air pack itself. It was noted again that this was found after the Kraft guys completed their inspection of the air pack and reported no issues were found with this compressor.

Friday, April 30:

Alligator Project; Allco did not work on site today due to a rain out. Weather conditions held steady rain throughout the day. The site conditions were muddy.

DD7's crew utilized the annex station to pump down the drainage system with units #3 and 4, starting around 9:30 am. Unit #2 was started around 11:00 am. The crew installed unit #1's air pack on unit #2, but then had a problem with unit #2's

lubricator. The guys moved unit #1's lubricator to unit #2 and unit #2 is now running well at this time (1:46 pm). It was noted that office instructed the crew to pump down the intake bay to a (-4.0 ft.) elevation level.

Monday, May 3:

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

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

Allco pulled (12) sheets of piling today from the intake bay and are welding steel support plates to the tops of the remaining piling. The crew is continuing to weld steel support plates to the top of the sheet pile.

Dr. Daniali is onsite inspecting the station.

DD7's crew is working on the air compressor for unit #2. The guys fixed one air leak that was found after it was shipped back to the station from Georgia (Transfluid). It was noted again that Transfluid stated they could not find any air leaks on this air pack. DD7's crew tested the air compressor and found that the air pressure gauge was not measuring the correct air pressure and another air leak was found on an air solenoid valve behind the air compressor. Scott found an O-ring for the angle gear's oil filter housing. The housing was removed and there was no O-ring in the housing from Lufkin Gear. Scott called Schroeder Industries and was given the O-ring dimensions. Scott was able to locate an O-ring at Eastex Rubber and Gasket and purchased/ installed the O-ring in the filter housing.

Tuesday, May 4:

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

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

Allco's crew is pulling more sheet piling, (10) sheets were pulled today.

Dr. Daniali is onsite inspecting the concrete on the second floor of the station.

DD7's Scott is looking for another air pressure gauge for the clutch air compressor. Ernie is searching for an air solenoid valve for the air compressor. Nathan and Bryan are trying to clean out the reversing valve block on unit #2. The Farval lubricator is continuing to get stuck and is not functioning properly. The crew ran the lubricator after Nathan finished cleaning out the Farval, and it is still not working correctly.

Wednesday, May 5:

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

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

Allco's crew is water jetting around the sheet piling getting the sheets ready to be pulled.

DD7's Thad and Pete came to the pump station and worked on the Farval lubricator. They backed off on the pressure set screw and ran the lubricator. The guys

got it to cycle a few times. Afterwards, they adjusted the pressure set screw back to the original position and ran the lubricator a few more cycles. The lubricator seems to be working correctly now. The crew took the air power pack, wire harness, and MPCB-R5 controller to the District's warehouse to have them shipped back to Transfluid, as per Allen Sims and Transfluid.

Thursday, May 6:

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

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

Allco is water jetting around the sheet piling and welding steel reinforcement plates to the tops of the remaining piling.

DD7's Nathan and Tony are working on trying to get the fuel gauges unstuck on units' #4 and 6 main engine tanks. The guys were able to repair the gauges, so the gauges are now showing the correct fuel levels.

Friday, May 7:

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

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

Allco is water jetting around the sheet piling and preparing to pull more sheets.

Mr. Phil Kelley presented the financial statements prepared by FMW, P.C. for the period ended April 30, 2021, and gave a collateral securities report as of April 30, 2021.

Mr. Dean Depew reported the District received approximately 13 inches of rain at Rodair Pump Station, about 11 inches in Nederland and 7-8 inches of rain in Groves on Monday, May 17. Mr. Depew has not pulled all the information due to being so busy with the rain event but plans to put all information together including the engine run times. Some areas received 3 inches in an hour with the heavy rains. Mr. Kelley stated the District received a lot of phone calls on Monday from citizens who get really nervous when it is raining so hard and water is rising. This is because of the Harvey and Imelda storms. All District equipment ran well, and Alligator Bayou Pump Station Annex has been pumping since early yesterday morning. Four (4) of the new pumps are still

running to slowly get the whole system back down. The District plans to pump down lower than normal before the pumps are shut down this afternoon. The system will come back up by in the morning, but the District will be monitoring the situation and will have employees out early to get the water moving. Greg Bostwick has informed Mr. Kelley that more rain will be coming in the morning. Mr. Kelley stated previously the District did use the pumps to pump the system down to a -4 (a foot and one-half lower) when heavy rains were predicted, and the District did not get the rain. The pumps are doing what they are intended to do and is allowing the District to draw down lower to create more space in the canal system.

Mr. Kelley reported the District is still experiencing problems with clutch packs on the clutches at the Alligator Bayou Pump Station Annex Project. Allen Sims has sent a letter to the vendor requesting immediate attention to address the problems. Pump Station Crews have run independent air to the clutches to allow for manual operation.

Mr. Allen Sims stated the Contractor is getting close to having all the interior coffer dam removed and has made the turn toward the gravity structure. There is plenty of open capacity to allow for pumping.

Mr. Kelley reported he and Allen Sims met with the Contractor Allco a few weeks ago and Allco requested the District release one-half of its retainage. They were told no and that once all the interior coffer dam is removed, the request would be brought to the Board for consideration.

Commissioner Gamble stated there are people who do not have real knowledge of the drainage system but there are thousands of people that will say just because the

coffer dam pilings are still in place that this is one of the reasons why the water is stacking up in the streets. They will come up with all kinds of stuff. It is his understanding that there were some areas in Port Arthur where water got into homes. Commissioner Gamble received quite a few phone calls yesterday with people saying they were scared, and he told them he was scared too. He assured everyone he talked with that the pumps were on and that the District was doing everything that could be done. The City of Port Arthur crews were also digging out ditches and drains. Mr. Kelley said the phones were ringing off the wall at the office and he left a meeting on the SP2GB Project to help answer the phones. The office staff took quite a few cussings, and while it is explained to the callers that the pump stations are manned and if there is water at the pump stations, the pumps are running, most people just do not believe it. Chairman Beaumont stated his wife got on Facebook and told him there were a lot of reports saying the pumps were not running. Chairman Beaumont asked if there was anyone with the District that responds on Facebook to make a correct statement. Mr. Kelley stated Ronnie Hollier set up the District's Facebook page so citizens can comment, but during a rain event like yesterday, everyone is out working, and the District does not have a person to sit and answer all Facebook comments. Ronnie Hollier does create a post that states the pump stations are manned and the men are checking crossings, but no one sits and answers all comments. Coach Gamble stated people are not going to believe what is told to them anyway. Dean Depew stated once the new SCADA system is finished, it will be much more interactive with Facebook and citizens will be able to see more of what is going on, although it is not certain if they will

believe what is seen. It is just hard for citizens to believe these statements when water is rising and their house is flooding. The District has had citizens say records can be manipulated.

Mr. Kelley stated Ron Burton, the City Manager of the City of Port Arthur, is in attendance and he can testify to the false information. Commissioner Gamble stated it is frightening. He was exposed to the flooding of Harvey, he knows the pumps are on and he understands the process that the pumps cannot outrun the pouring rain, but because of the experience he has had, seeing the water not moving is frightening. The District will just have to deal with that.

Commissioner Moses asks for confirmation that the District would be pumping the system down lower this evening in anticipation of more rain and Mr. Kelley stated yes that is the plan.

Commissioner Champagne asked how the new engines that have been recently replaced through the District's engine replacement program performed during Monday's rain event. Dean Depew stated without a doubt the engines performed well and the fuel efficiency was a major difference too. Mr. Depew also stated the new Motor Control Center that the Corps recently completed at Pump Station No. 10 worked very well too.

Permits

Port Arthur Terminal, LLC – Overhead Electrical Crossing of Atlantic Main Lateral 1-A. Mr. Garrett Boudoin recommended approval with a Five Hundred Fifty and No/100 (\$550.00) Dollar permit fee and no bond required subject to the special conditions

contained within the permit. Commissioner Gamble moved to approve Mr. Boudoin's recommendation. Commissioner Vincent seconded the motion. The motion carried.

City of Port Neches – 24" Sewer Main Underground Crossing of Main "A" by HDD Method. Mr. Garrett Boudoin recommended approval with no permit fee or bond required. Commissioner Moses moved to approve Mr. Boudoin's recommendation. Commissioner Gamble seconded the motion. The motion carried.

Checks & Purchase Orders
Maintenance Fund

Ck. No. 18333 – Allison Nathan Getz, Tax Assessor-Collector
\$325.00 – Taxes for 4700 Lakeshore Drive, Port Arthur, Texas

Ck. No. 18334 – Apex Divers, Inc.
\$2,500.00 – Sabine to Galveston Contract 3 Dive Inspection
of Dock Wall

Ck. No. 18335 – DISA, Inc.
\$75.00 – Drug Screens

Ck. No. 18336 - Filmr, LLC.
\$316.00 – Social Media Posts and Editing

Ck. No. 18337 – Function 4, LLC
\$192.98 – Rental of Konmin Copier 4/15-5/14/21

Ck. No. 18338 – GP Evans Contractors
\$24,235.00 – Mowing Levee

Ck. No. 18339 – Lawco Construction
\$16,800.00 – Chip Debris West Port Arthur Road

Ck. No. 18340 – LJA Engineering, Inc.
\$28,891.45 – Stormwater Management Plan, Data System
and GIS Project 2021, Nederland, Groves, Port Neches,
Port Arthur Coalition and Halbouty Detention

Ck. No. 18341 – LJA Environmental Services, LLC
\$4,361.42 – Halbouty Detention HMGP

Ck. No. 18342 – LJA Surveying, Inc.

\$33,130.00 – Sabine to Galveston Contract 3 Valero Additional Topo (2), Central Ditch Upgrade Beauxart Gardens, Main Outfall, Main A, B and C Bathymetric Survey and Sabine To Galveston Contract 3 Valero Column Locations

Ck. No. 18343 - M & A Unlimited Services, LLC

\$350.00 – Rental of Transport Truck 5/11/21

Ck. No. 18344 – Mason Construction, Ltd.

\$13,000.00 – Sabine to Galveston Contract 3 Exploratory Dig

Ck. No. 18345 – Norman Highway Constructors, Inc.

\$46,572.84 – Improvements to Lateral A3A Crossings at Hogaboom and Baird Street

Ck. No. 18346 – Ron Lewis & Associates

\$3,500.00 – Legislative Consulting Fees

Ck. No. 18347 – Sage Industrial, Inc.

\$2,709.75 – Rental of Backhoe, 2/4-3/4/21

Ck. No. 18348 – Sprint Waste Services, LP

\$1,590.00 – Removal of Waste from Pump Stations, April 2021

Ck. No. 18349 – Swagit Productions, LLC

\$3,000.00 – 24/7 Live Video Stream Only May 2021 – April 2022

Ck. No. 18350 – Texan Engineering & Consulting, LLC

\$12,960.00 – HMGP Projects, Reviews/Permits, General Services and A-3-A Crossings

Ck. No. 18351 – Texas Water Conservations Assoc.

\$2,745.00 – TWCA 2021 Summer Conference Registrations, Horseshoe Bay, TX, 6/9-6/11/21

Ck. No. 18352 – Waukesha-Pearce Industries, Inc.

\$8,347.00 – Rental Komatsu Dozer, 4/19-5/17/21

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

Chairman Beaumont recognized the guests in attendance, namely, Ron Burton, City Manager of the City of Port Arthur, Donald Frank, Councilman for the City of Port Arthur and Pamela Langford, Director of the Development Services and Assistant City Manager for the City of Port Arthur. Resident, David French of Nederland was also in attendance via Zoom. Chairman Beaumont asked if anyone had any questions.

Mr. French stated he is sending a letter to Allen Sims outlining all the many developments being done in the Rodair Gully System area. He further stated he drove around yesterday at the beginning of the rain event and went over many areas of concern. He also mentioned six ponds that he is aware of that are feeding the channel. Mr. French is concerned about the fact that some of these ponds stay full most of the time and do not really serve as retention ponds. Mr. Kelley stated one of the ponds Mr. French mentioned was acquired by the Lower Neches River Valley Authority ("LNVA") is for drought contingency and surplus water for LNVA. Mr. French stated he does not know why the District cannot do things with other entities to lower these ponds when expecting a major rain event. There was more discussion regarding the other ponds Mr. French mentioned and some that are on private property. He also discussed property owners bringing in dirt and building up their property. Mr. Kelley stated Allen Sims has been in touch with Michelle Falgout, Jefferson County Engineer, and any development to be done in that area of the County will first be required to go to the

County and will then be sent to District for permitting before they can develop any property. Mr. Sims further explained if any development that Mr. French is referring to was permitted prior to the District implementing and adopting its Drainage Regulations approximately a year ago, there is not much the District can do and private property owners are not required to get permits to bring in dirt on their property. The District cannot do anything about this.

Ron Burton, City Manager of the City of Port Arthur, stated the City of Port Arthur wants to include the District on any developments that are done within its City and him and Pamela Langford want to work in partnership with the District on the ability and capacity to carry the water to the District's system. Mr. Kelley stated the word is out to all Cities within the District and they are all now working with the District. Mr. Burton stated the City of Port Arthur Council has approved \$1.8 million for a Master Drainage Plan and he wants to have a meeting with the District before work begins on this study, and Mr. Kelley agreed. Mr. Brady Girouard stated the District has been working and coordinating closely with Alberto Elefano and the City's engineering team, is aware of the City's efforts in downtown and is now a part of all City pre-development meetings. Mr. Burton stated this is how he would like to continue working with the District.

Mr. Kelley advised the District has moved out with the Corps of Engineers on the Levee Improvement Project and the Communication Plan is beginning to be implemented. The Corps and Mr. Kelley met with Jefferson County Commissioners' Court last week. The next step is for the Corps to come to a City of Port Arthur Council Meeting to put on a program along with the District to explain what will be happening

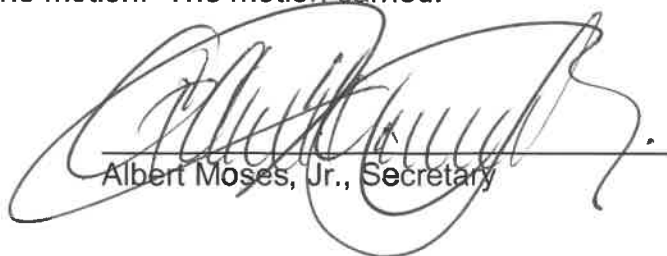
along the City of Port Arthur ship channel and downtown area. Mr. Kelley also needs to contact Lamar State College and Port Arthur ISD about the same thing. A date needs to be set in June for a regular council meeting or to post a workshop to last about an hour for the presentation. Mr. Burton stated once a date is agreed on, he will put it on the City's agenda.

Councilman Donald Frank commented he was glad to be in attendance today, the City is in the capable hands of its City Manager and supportive of his efforts to keep the citizens safe and as dry as possible. He thanked Commissioner Gamble for coming to the City Council a few months ago to talk about the City's efforts to coordinate with the District. Commissioner Vincent thanked all City representatives for their attendance.

Allen Sims added during the height of yesterday's rain event, he and Brady Girouard talked with Alberto Elefano with the City of Port Arthur at least 5 times exchanging information and communicating to be sure everyone was not working on the same problems.

At 2:47 p.m., Commissioner Vincent moved that the meeting be adjourned. Commissioner Moses seconded the motion. The motion carried.


Richard Beaumont, Chairman


Albert Moses, Jr., Secretary

**RESOLUTION NO. 475
AUTHORIZING AMENDED TAX ABATEMENT AGREEMENT WITH
EMERALD BIOFUELS**

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 468 on December 1, 2020, adopting the Jefferson County Amended Uniform Tax Abatement Policy-2020 as its tax abatement policy; and

WHEREAS, in open meetings the District has stated that the District's policy is to consider tax abatement agreements for entities requesting tax abatement if they mirror the terms and conditions of the same abatement request approved by the Commissioner's Court of Jefferson County; and

WHEREAS, the District desires to enter into an Amended Tax Abatement Agreement (in the form and content of that approved by the Commissioners' Court of Jefferson County) with Emerald Biofuels and wishes to authorize the District's Manager, Phil Kelley, to execute the Amended 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 Emerald Biofuels for property located within the Emerald Biofuels Reinvestment Zone for construction of a new Renewable Diesel Refinery and related improvements and authorize its Manager, Phil Kelley, to execute on behalf of the District the Amended Tax Abatement Agreement attached hereto as Exhibit "A" (without exhibits) and made a part hereof by reference.

THAT the terms of the Amended Tax Abatement Agreement and the property subject to the agreement meets 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. 2348 held on the 18th day of May, 2021, upon motion made by Commissioner Vincent and seconded by Commissioner Moses and adopted unanimously by said Board, a quorum being present.

Given under my hand this 18th day of May, 2021.


Secretary
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7