

**MINUTES OF VIDEOCONFERENCE MEETING NO. 2428  
COMMISSIONERS OF  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

Place: 3400 Hwy 73  
Port Arthur, Texas

Date: October 1, 2024

Present: Commissioners  
Richard Beaumont  
Lester Champagne  
Matthew Vincent  
Albert Moses, Jr.  
James Gamble, Sr.

Phil Kelley, General Manager  
Glenn Steele, Attorney for District

Visitors: Allen Sims, DD7  
Toby Davis, DD7  
Brady Girouard, DD7  
Garrett Boudoin, DD7  
Barron Cook, DD7  
Kirby Johnson, DD7  
Dean Depew, DD7  
Kenneth Marks

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. 2427

The Minutes of Meeting No. 2427 was approved as read.

Consider Resolution Authorizing Advanced Funding Agreement with the State of Texas, Texas Department of Transportation

Resolution No. 522 regarding the Authorization of an Advanced Funding Agreement with the State of Texas, Texas Department of Transportation was presented for consideration. Mr. Phil Kelley stated that the project associated with the Advanced Funding Agreement is related to the Sabine Pass to Galveston Bay Project. The project

scope is to remove the existing gate structure and construct a bridge over Rodair Gully on Highway 365. Mr. Allen Sims stated the project's total estimated cost is \$12.9 million. The District's cost is \$3.9 million plus any change orders. This option is more cost-effective than if the District chose to remove the gate structure and construct the bridge within the scope of the Sabine Pass to Galveston Bay Project which would require a 35% cost share, amounting to approximately \$5 million. Building the bridge in place of the gate also eliminates the gate's maintenance and operation costs. The Advanced Funding Agreement is recommended for approval. Commissioner Moses moved to approve the Resolution Authorizing the Advanced Funding Agreement with the State of Texas, Texas Department of Transportation. Commissioner Vincent seconded the motion. The motion carried. A copy of Resolution 522 is attached hereto and made a part of these minutes.

Consider Approval to Attend 2024 TWCA Fall Conference

Mr. Kelley stated that the TWCA 2024 Fall Conference will be held in San Antonio, Texas October 23 - 25, 2024. Commissioner Vincent moved that any Commissioner and/or staff be authorized to attend. Commissioner Gamble seconded the motion. The motion carried.

Sabine Pass to Galveston Bay Project Summary

Mr. Allen Sims stated that he and Mr. Phil Kelley attended the National Waterways Conference in New Orleans. A meeting was held with the Corps. Mr. Sims stated that it was a very productive meeting. Mr. Edward E. Belk, Jr., Director of Civil Works, U.S. Army Corps of Engineers at the Corps Headquarters in Washington, D.C., and Mr. Theodore "Tab" Brown, Division Chief Programs Integration, U.S. Army Corps of Engineers at the Corps Headquarters in Washington, D.C. and Wes Coleman, Director

of Programs, Southwestern Division, attended the meeting. It was determined that the increase in cost and the scope of work changes on the Sabine Pass to Galveston Bay Project, Port Arthur Vicinity is within the Chief's discretionary authority. This means it is unnecessary to go back to Congress to request more funding. The \$4 billion allocated for the project is essentially a pool of money, available on a first-come, first-served basis. If the District uses more than its share of the funds, it will assist them in addressing Congress to request more funding. The Corps' policy regarding the cost of acquiring land from another taxing entity or relocating utilities states that these costs are not creditable toward the District's 35% cost share. It was suggested that the District draft and submit a justification explaining why these items should be considered creditable toward the District's 35% cost share. The justification will be considered.

#### Manager Reports

Mr. Toby Davis provided a status report on funding and construction for all current and pending grant projects. The total funding awarded for current grant projects is \$72.5 million, with the District's match totaling \$7 million. Awarded but inactive grants amount to \$9.2 million, with the District's cost share being \$2.7 million. The Rodair Gully Detention Pond Pump Station grant has been submitted, and we are awaiting a response.

#### 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. 25146 – Albert Moses, Jr.  
\$529.00 – Health Insurance Payment

Ck. No. 25147 – AMMCO Solutions Group, LLC  
\$2,424.00 – Pump Station Unit Washout

Ck. No. 25148 – Blue Cross Blue Shield of Texas  
\$157.18 – Health Insurance Payment

Ck. No. 25149 – Cintas Corp.  
\$94.00 – Traffic Mat & Hand Sanitizer Service -Administration Building

Ck. No. 25150 – Cummins Sales and Service  
\$377,340.00 – 3 Cummins Engines

Ck. No. 25151 – Dan Delich Consulting  
\$2,500.00 – Legislative Consulting Fees

Ck. No. 25152 – DTN, LLC  
\$3,918.60 – Weather Sentry – Control Center

Ck. No. 25153 – Electrical Specialties, Inc.  
\$45.00 – Alarm System Monthly Charge

Ck. No. 25154 – Fidelity Exterminating Company  
\$225.00 – Quarterly Pest Control – Control Center

Ck. No. 25155 – Gannett Fleming, Inc.  
\$12,616.84 – Professional Services – Groves Detention Pond

Ck. No. 25156 – GP Evans Contractors  
\$10,334.10 – Seasonal Mowing Services

Ck. No. 25157 – Groves Equipment Rental Co., Inc.  
\$2,700.00 – 15 Ton Crane Rental

Ck. No. 25158 – Herc Rentals Corporation  
\$3,005.85 – Dump Truck Rental

Ck. No. 25159 – Higginbotham Insurance Agency  
\$178.00 – Commissioner Bond Renewal – Matthew Vincent

Ck. No. 25160 – Honesty Environmental Services, Inc.  
\$990.00 – Pump Station 19 Asbestos Remediation

Ck. No. 25161 – James Gamble, Sr.  
\$270.00 – Health Insurance Payment

Ck. No. 25162 – Jefferson County Agriculture Comm  
\$150.00 – Pesticide Applicator Recertification Training

Ck. No. 25163 – Jefferson County, Texas  
\$2,357.88 – CDBG Grant Project – Crane Bayou

Ck. No. 25164 – Johnny's Towing & Recovery  
\$75.00 – Equipment Transportation

Ck. No. 25165 – M & S Unlimited Services, LLC  
\$450.00 – Equipment Transportation

Ck. No. 25166 – Mazzanti & Associates, LLC  
\$2,500.00 – Consulting Services

Ck. No. 25167 – Medcom  
\$2,750.00 – ACA Employer Reporting

Ck. No. 25168 – Nerbert Frelow  
\$2,660.00 – Dump Truck Services

Ck. No. 25169 – Phil Kelley  
\$842.90 – Travel Reimbursement – National Waterways Conference

Ck. No. 25170 – Ray Russo  
\$5,007.59 – Legislative Consulting Services

Ck. No. 25171 – Ron Lewis & Associates  
\$3,500.00 – Legislative Consulting Services

Ck. No. 25172 – Sam & Tash Services, Inc.  
\$1,569.62 – Janitorial Services – Administration Building

Ck. No. 25173 – TCS Consulting  
\$6,750.00 – Auto Cad Software – 1 Year License

Ck. No. 25174 – Texan Engineering & Consulting, LLC  
\$9,460.00 – Engineering Services – Various Project

Ck. No. 25175 – Thorpe Plant Services, Inc.  
\$168.04 – Pump Station 10 Scaffold Rental

Ck. No. 25176 – TWCA Risk Management Fund  
\$225.00 – Equipment Additions to Policy

Ck. No. 25177 – Texas Aquatic Plant Management Society  
\$450.00 – TAPMS Annual Meeting Registration

Ck. No. 25178 – Texas Department of State Health Services  
\$57.00 – Pump Station 19 Asbestos Abatement

Ck. No. 25179 – Waukesha-Pearce Industries, Inc.  
\$3,974.00 – Equipment Rental – Bomag Soil Compactor/Roller

Ck. No. 25180 – Wave Solutions, LLC  
\$807.94 – Monthly IT Service Retainer Fee

Ck. No. 25181 – Wells Fargo Banks  
\$218.26 – Account Analysis Fees

Ck. No. 25182 – Wells Fargo  
\$250.55 – Monthly Credit Card Payment

Ck. No. 25217 – TWCA Risk Management Fund  
\$35,500.00 – Engineering Recommendation Surcharge

Ck. No. 25218 – Glenn H. Steele, Jr. PLLC  
\$5,100.00 – September Legal Services & October Retainer

Ck. No. 25219 – Wave Solutions, LLC  
\$810.57 – Telephone Services

Ck. No. 25220 – Gannett Fleming, Inc.  
\$5,940.27 – Sabine Pass to Galveston Bay Project Management

Ck. No. 25221 – Wave Solutions, LLC  
\$4,301.00 – Computer Software & Retainer

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

Mr. Kenneth Marks appeared before the board to request support for his candidacy for the Jefferson County Appraisal District Board of Directors. He is currently serving the remainder of Dr. Louis Reed's term. Mr. Marks clarified that this position does not require a public vote; the taxing entities in Jefferson County vote to fill the position.


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

At 2:25 p.m., Commissioner Gamble moved that the meeting be adjourned. Commissioner Vincent seconded the motion. The motion carried.



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Albert Moses, Jr., Secretary



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Richard Beaumont, Chairman

**RESOLUTION NO. 522  
AUTHORIZING ADVANCE FUNDING AGREEMENT WITH THE  
STATE OF TEXAS**

STATE OF TEXAS

COUNTY OF JEFFERSON

WHEREAS, Jefferson County Drainage District No. 7 (the "District") desires to enter into an Advanced Funding Agreement ("AFA") with the State of Texas (the "State") acting by and through the Texas Department of Transportation for the construction of the FM 365 Rodair Gully Bridge Replacement; and

WHEREAS, the construction costs will be allocated based on 80% Federal funding and 20% State funding until the Federal funding reaches the maximum obligated amount. The District shall contribute certain funds as stated in the AFA, and is responsible for 100% of the construction cost overruns. The State is responsible for 100% of engineering costs. The District will then be responsible for 100% of all other work component costs; and

WHEREAS, the District wishes to authorize the District's Board Chairman to execute the Advanced Funding 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 the Advanced Funding Agreement with the State of Texas by and through the Texas Department of Transportation pursuant to the terms and agreements set forth in the Advanced Funding



Agreement regarding the construction of the FM 365 Rodair Gully Bridge Replacement and to authorize the Chairman to execute on behalf of the District the attached instrument.

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 the 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. 2428 held on the 1<sup>st</sup> day of October 2024, upon motion made by Commissioner Moses and seconded by Commissioner Vincent and adopted unanimously by said Board, a quorum being present.

Given under my hand this 1<sup>st</sup> day of October 2024.

A handwritten signature in black ink, appearing to read 'Albert Moses, Jr.', is written over a horizontal line. The signature is cursive and somewhat stylized.

Secretary

JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7