

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
ORANGE COUNTY DRAINAGE DISTRICT**

**April 14, 2020**

The regular monthly meeting of the Board of Directors of the Orange County Drainage District was held on Tuesday, April 14, 2020 at 10:00 a.m. at the District Office located at 8081 Old Highway 90, Orange, Texas. Due to the COVID-19 Coronavirus pandemic, and the suspension of certain provisions of the Texas Open Meetings statutes by Governor Greg Abbott, this regular meeting of the Board of Directors was held by telephone conference call. Also, due to the social distancing orders and recommendations issued by federal, state and local authorities, and for the safety and welfare of the public and Drainage District staff, members of the public were allowed to attend and fully participate in the meeting by telephone conference call only, by calling the toll free number and entering the access code provided, as set forth in the Notice of Meeting.

**DIRECTORS PRESENT BY TELEPHONE CONFERENCE CALL:**

Brent Peveto	Director At-Large
Russell Covington	Director, Precinct No. 1
J.B. Arrington	Director, Precinct No. 2
Randy Fuselier	Director, Precinct No. 3
Hal LaPray	Director, Precinct No. 4

**OTHERS PRESENT:**

Don Carona	General Manager
Austin Barrow	Assistant General Manager- Operations
Cindy Pent	Recording Secretary
Keri Michutka	Accountant (By telephone conference call)
Martin Dies	Attorney (By telephone conference call)
Mickey Moshier	Insurance Consultant (By telephone conference call)

**MEETING OPENED:**

Mr. Peveto called the meeting of the Board of Directors of the Orange County Drainage District to order at 10:05 a.m. Mr. LaPray led the Invocation and the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Mr. Covington made a motion to dispense with the reading of, and to approve the minutes of the March 10, 2020 regular meeting and the March 30, 2020 special meeting. Mr. Arrington seconded the motion. Motion carried 5-0.

**VISITORS**

Members of the public attended the meeting by telephone conference call. There were no requests to address the Board of Directors or to make comments.

**RECOGNIZE ACCEPTANCE OF TEXPOOL MARCH 2020 REPORT**

No action required.

**APPROVAL OF MARCH 2020 BILLS**

After review and discussion, Mr. Arrington made a motion to approve the bills for March, 2020. Mr. Covington seconded the motion. Motion carried 5-0.

**RECEIVE QUARTERLY INVESTMENT REPORT FROM THE GENERAL MANAGER AND/OR ASSISTANT GENERAL MANAGER**

Mr. Carona presented to the Board the District's quarterly investment report for the quarter ending on March 31, 2020. No action required.

**CONSIDER FOR APPROVAL THE RENEWAL OF THE EMPLOYEE HEALTHCARE INSURANCE POLICY WITH TML MULTISTATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL, AND DESIGNATION AND SELECTION OF THE TERMS OF SAID POLICY**

Mr. Covington made a motion to approve the renewal of the employee healthcare insurance policy with TML MultiState Intergovernmental Employee Benefits Pool, and designation and selection of the same terms of said policy as the current policy year. Mr. LaPray seconded the motion. Motion carried 5-0.

**CONSIDER FOR APPROVAL T.K. INSURANCE AS THE DISTRICT'S AGENT FOR THE RENEWAL OF THE EMPLOYEES' HEALTHCARE INSURANCE BENEFITS WITH TML MULTISTATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL**

Mr. LaPray made a motion to approve T.K. Insurance as the District's agent for the renewal of the employees' healthcare insurance benefits with TML MultiState Intergovernmental Employee Benefits Pool. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDER FOR APPROVAL THE RENEWAL OF THE ANCILLARY BENEFITS PACKAGE WITH BLUE CROSS BLUE SHIELD OF TEXAS AND VSP VISION CARE THROUGH HEALTH FIRST TPA FOR RENEWAL PERIOD OF OCTOBER 1, 2020 THROUGH JUNE 30, 2022**

Mr. LaPray made a motion to approve the renewal of the ancillary benefits package with Blue Cross Blue Shield of Texas and VSP Vision Care through Health First TPA for the renewal period of October 1, 2020 through June 30, 2022. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDER FOR APPROVAL RENEWAL OF PUBLIC OFFICIAL DIRECTOR'S BONDS FOR BOARD MEMBERS WITH HARTFORD CASUALTY INSURANCE COMPANY**

Mr. Covington made a motion to approve the renewal of Public Official Director's Bonds for Board Members with Hartford Casualty Insurance Company. Mr. Fuselier seconded the motion. Motion carried 5-0.

**CONSIDER FOR APPROVAL RENEWAL OF CRIME BOND WITH HARTFORD CASUALTY INSURANCE COMPANY**

Mr. Covington made a motion to approve the renewal of the Crime Bond with Hartford Casualty Insurance Company. Mr. LaPray seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR ANYTIME FITNESS, TO BE LOCATED AT HIGHWAY 12 AND OLD HIGHWAY 62, PREPARED BY SAMUEL FOUNTAIN, P.E., DATED MARCH 10, 2020**

Mr. LaPray made a motion to authorize the Drainage District Staff to approve the Drainage Study for Anytime Fitness, to be located at Highway 12 and Old Highway 62, prepared by Samuel Fountain, P.E., dated March 10, 2020. Mr. Fuselier seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR IN-N-OUT CONVENIENCE STORE, TO BE LOCATED AT 8850 HIGHWAY 12, ORANGE COUNTY, TEXAS, PREPARED BY RANA MAHMOOD, P.E., DATED APRIL 7, 2020**

Mr. Covington made a motion to authorize the Drainage District Staff to approve the Drainage Study for In-N-Out convenience store, to be located at 8850 Highway 12, Orange County, Texas, prepared by Rana Mahmood, P.E., dated April 7, 2020. Mr. LaPray seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE AMENDED DRAINAGE PLAN AND PRELIMINARY PLAT FOR SILVER BRIDGE COURT SUBDIVISION, PREPARED BY JEREMY MITCHELL, P.E., DATED MARCH 12, 2020.**

Mr. LaPray made a motion to approve the amended Drainage Plan and Preliminary Plat for Silver Bridge Court subdivision, prepared by Jeremy Mitchell, P.E., dated March 12, 2020. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR FM 1442 RV & BOAT STORAGE, TO BE LOCATED ON WEST ROUND BUNCH ROAD (FM 1442 AND TURNER ROAD), PREPARED BY THOMAS S. ROWE, DATED OCTOBER 1, 2019.**

Mr. Covington made a motion to authorize the Drainage District staff to approve the Drainage Study for FM 1442 RV & Boat Storage, to be located on West Roundbunch Road (FM 1442 and Turner Road), prepared by Thomas S. Rowe, dated October 1, 2019. Mr. Fuselier seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE PLAN FOR COASTAL READY MIX, INC., TO BE LOCATED ON THE IH-10 N. FRONTAGE ROAD NEAR FM 1442, PREPARED BY DON KING, P.E.**

Mr. Covington made a motion to authorize the Drainage District staff to approve the Drainage Plan for Coastal Ready Mix, Inc., to be located on the IH-10 N. Frontage Road Near FM 1442, prepared by Don King, P.E., contingent on the Developer making all required changes to the proposed drainage plan, and all necessary easements being obtained and granted by the Developer to the satisfaction of Drainage District staff. Mr. LaPray seconded the motion. Motion carried 5-0.

**RECEIPT AND CONSIDERATION OF THE EVALUATION OF THE EVALUATION COMMITTEE PREVIOUSLY DESIGNATED BY THE BOARD, AND SELECTION OF, AND AWARD OF CONTRACT TO A FIRM(S) TO PROVIDE GRANT APPLICATION AND ADMINISTRATIVE SERVICES PURSUANT TO THE DISTRICT'S REQUEST FOR PROPOSALS FOR GRANT APPLICATION AND ADMINISTRATIVE SERVICES (RFP 2020-01-CDBG-MIT), AND AUTHORIZATION OF THE DISTRICT'S GENERAL MANAGER, UPON CONSULTATION AND APPROVAL OF THE DISTRICT'S ATTORNEY, TO NEGOTIATE AND EXECUTE A CONTRACT WITH SUCH FIRM(S) ON BEHALF OF THE DRAINAGE DISTRICT.**

Mr. LaPray made a motion to approve the evaluation of the Evaluation Committee previously designated by the Board, and selection of, and award of contract to Traylor & Associates and Tidal Basin Governmental Consulting, LLC to provide grant application and administrative services pursuant to the District's Request for Proposals for Grant Application and Administrative Services (RFP 2020-01-CDBG-MIT), and authorization of the District's General Manager, upon consultation and approval of the District's attorney, to negotiate and execute a contract with such firm(s) on behalf of the Drainage District. Mr. Covington seconded the motion. Motion carried 5-0.

**CONSIDERATION AND AUTHORIZATION OF THE GENERAL MANAGER, UPON CONSULTATION AND APPROVAL OF THE DISTRICT'S ATTORNEY, TO EXECUTE A CONTRACT WITH TRAYLOR AND ASSOCIATES AND TIDAL BASIN GOVERNMENTAL CONSULTING, LLC TO PROVIDE GRANT APPLICATION AND ADMINISTRATIVE SERVICES PURSUANT TO THE DISTRICT'S REQUESTS FOR PROPOSALS FOR GRANT APPLICATION AND ADMINISTRATIVE SERVICES (RFP 2019-02-EDA AND RFP 2019-03-TWDB).**

Mr. LaPray made a motion to approve the authorization of the General Manager, upon consultation and approval of the District's attorney, to execute a contract with Traylor and Associates and Tidal Basin Governmental Consulting, LLC to provide grant application and administrative services pursuant to the District's Requests for Proposals for Grant Application and Administrative Services (RFP 2019-02-EDA and RFP 2019-03-TWDB). Mr. Fuselier seconded the motion. Motion carried 5-0.

#### **BOARD GOES INTO EXECUTIVE SESSION**

Time 11:13 a.m. Mr. LaPray made a motion to enter into Executive Session to discuss personnel matters (as authorized by Texas Government Code Section 551.074) and to consult with the District's attorney regarding legal matters (as authorized by Texas Government Code Section 551.071). Mr. Covington seconded the motion. Motion carried 5-0.

#### **RECONVENE IN OPEN SESSION**


The Board reconvened in open session at 12:15 p.m.

**CONSIDERATION AND APPROVAL OF AN ORDER AUTHORIZING THE DRAINAGE DISTRICT TO ENTER INTO A LOCAL COOPERATION AGREEMENT WITH THE TEXAS GENERAL LAND OFFICE, AND A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES ARMY CORPS OF ENGINEERS, IN CONJUNCTION WITH THE COUNTY OF ORANGE AS CO-SIGNATORY, FOR THE ORANGE COUNTY ELEMENT OF THE SABINE PASS TO GALVESTON BAY COASTAL STORM RISK MANAGEMENT PROJECT, AND FOR THE GENERAL MANAGER OR A BOARD MEMBER, UPON CONSULTATION AND APPROVAL OF THE DISTRICT'S ATTORNEY, TO EXECUTE SUCH AGREEMENTS ON BEHALF OF THE DRAINAGE DISTRICT.**

Mr. LaPray made a motion to approve an Order authorizing the Drainage District to enter into a Local Cooperation Agreement with the Texas General Land Office, and a Memorandum of Understanding with the United States Army Corps of Engineers, in conjunction with the County of Orange as Co-signatory, for the Orange County Element of the Sabine Pass to Galveston Bay Coastal Storm Risk Management Project, and for the General Manager or a Board Member, upon consultation and approval of the District's attorney, to execute such Agreements on behalf of the Drainage District. Mr. Fuselier seconded the motion. Motion carried 5-0.

**BOARD ADJOURNS**

There being no further business to discuss, Mr. Arrington made the motion to adjourn. Mr. LaPray seconded the motion. Motion carried 5-0. The meeting adjourned at 12:17 p.m.



Brent Peveto  
President



Cindy Pent  
Recording Secretary