

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

August 25, 2020

A special called meeting of the Board of Directors of the Orange County Drainage District was held on Tuesday, August 25, 2020 at 10:00 a.m. at the Orange County Drainage District Administration Building located at 8081 Old Hwy 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 special 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:

Brent Peveto	Director At Large
J.B. Arrington	Director, Precinct No. 2

DIRECTORS PRESENT BY TELEPHONE CONFERENCE CALL:

Russell Covington	Director, Precinct No. 1
Hal LaPray	Director, Precinct No. 4

DIRECTORS ABSENT:

Randy Fuselier	Director, Precinct No. 3
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OTHERS PRESENT:

Don Carona	General Manager
Cindy Pent	Recording Secretary (By telephone conference call)
Martin Dies	Attorney (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 10:00 a.m. Mr. LaPray led the Invocation and the Pledge of Allegiance.

VISITORS:

There were no members of the public who attended the meeting by telephone conference call, and there were no requests to address the Board of Directors or to make comments.

BOARD GOES INTO EXECUTIVE SESSION

Time: 10:10 a.m. Mr. LaPray made a motion to enter into Executive Session to discuss legal matters with the District's attorney (as authorized by Texas Government Code Section 551.071). Mr. Covington seconded the motion. Motion carried 4-0.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 10:41 a.m.

CONSIDERATION AND APPROVAL OF AN ORDER AUTHORIZING THE DRAINAGE DISTRICT TO ENTER INTO A LOCAL COOPERATION AGREEMENT WITH THE TEXAS GENERAL LAND OFFICE, IN CONJUNCTION WITH THE COUNTY OF ORANGE AS CO-SIGNATORY, FOR THE ORANGE COUNTY ELEMENT OF THE SABINE PASS TO GALVESTON BAY, TEXAS 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 AGREEMENT ON BEHALF OF THE DRAINAGE DISTRICT

Mr. LaPray made a motion to approve a Resolution and Order authorizing the Drainage District to enter into a Local Cooperation Agreement with the Texas General Land Office, in conjunction with the County of Orange as a co-signatory, for the Orange County element of the Sabine Pass to Galveston Bay, Texas 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 agreement on behalf of the Drainage District. Mr. Covington seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL OF AN ORDER AUTHORIZING THE DRAINAGE DISTRICT TO ENTER INTO A DESIGN AGREEMENT WITH THE DEPARTMENT OF THE ARMY (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, TEXAS 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 AND SUBMIT SUCH AGREEMENT AND ASSOCIATED CERTIFICATIONS ON BEHALF OF THE DRAINAGE DISTRICT

Mr. Covington made a motion to approve a Resolution and Order authorizing the Drainage District to enter into a Design Agreement with the Department of the Army (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, Texas 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 and submit such agreement and associated certifications on behalf of the Drainage District. Mr. LaPray seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL OF AN ORDER AUTHORIZING THE DRAINAGE DISTRICT TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY OF ORANGE, FOR THE ORANGE COUNTY ELEMENT OF THE SABINE PASS TO GALVESTON BAY, TEXAS 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 AGREEMENT ON BEHALF OF THE DRAINAGE DISTRICT

Mr. Covington made a motion to approve a Resolution and Order authorizing the Drainage District to enter into an Interlocal Agreement with the County of Orange, for the Orange County element of the Sabine Pass to Galveston Bay, Texas 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 agreement on behalf of the Drainage District. Mr. LaPray seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL OF THE CONTRACT OF SALE BETWEEN THE ORANGE COUNTY DRAINAGE DISTRICT AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE COMMISSIONER OF THE GENERAL LAND OFFICE AND CHAIRMAN OF THE SCHOOL LAND BOARD, ON BEHALF OF THE PERMANENT SCHOOL FUND, AS DELIBERATED BY THE BOARD OF DIRECTORS IN A CLOSED MEETING PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE AND SECTION 11.086 OF THE TEXAS NATURAL RESOURCES CODE, AND FOR THE GENERAL MANAGER TO EXECUTE ON BEHALF OF THE DISTRICT THE CONTRACT OF SALE AND ALL OTHER DOCUMENTS REASONABLY NECESSARY TO ACCOMPLISH THE PURCHASE OF PROPERTY THAT IS THE SUBJECT OF THE CONTRACT OF SALE

Mr. LaPray made a motion to approve the Contract of Sale between the Orange County Drainage District and the State of Texas, acting by and through the Commissioner of the General Land Office and the Chairman of the School Land Board, on behalf of the Permanent School Fund, as deliberated by the Board of Directors in a closed meeting pursuant to Section 551.072 of the Texas Government Code and Section 11.086 of the Texas Natural Resources Code, and for the General Manager to execute on behalf of the District the Contract of Sale and all other documents reasonably necessary to accomplish the purchase of property that is the subject of the Contract of Sale. Mr. Covington seconded the motion. Motion carried 4-0.

DISCUSSION AND AUTHORIZATION OF THE DRAINAGE DISTRICT'S ACCEPTANCE OF DRAINAGE EASEMENTS AND AN ACCESS EASEMENT ALONG JEFFERSON GULLEY FROM HAL LAPRAY, PETER LAPRAY, AND CHAD LAPRAY

Mr. Covington made a motion to authorize the Drainage District's acceptance of drainage easements and an access easement along Jefferson Gulley from Hal LaPray, Peter LaPray, Matt LaPray and Chad LaPray. Mr. Arrington seconded the motion. Motion carried 3-0. Mr. LaPray abstained from the vote.

CONSIDERATION AND AUTHORIZATION FOR DISTRICT STAFF TO APPROVE THE DRAINAGE PLAN FOR VIDOR INDEPENDENT SCHOOL DISTRICT'S OAK FOREST ELEMENTARY SCHOOL, PREPARED BY BEN TRISTAN, P.E., FITZ & SHIPMAN, INC., SUBJECT TO, AND PROVIDED THAT, ALL CHANGES TO THE DRAINAGE PLAN THAT ARE NECESSARY FOR THE PLAN TO BE IN COMPLIANCE WITH DISTRICT'S DRAINAGE REQUIREMENTS ARE MADE AND INCORPORATED INTO THE DRAINAGE PLAN

Mr. LaPray made a motion to approve the drainage plan for Vidor Independent School District's Oak Forest Elementary School, prepared by Ben Tristan, P.E., Fitz & Shipman, Inc., subject to, and provided that, all changes to the Drainage Plan that are necessary for the plan to be in compliance with District's drainage requirements are made and incorporated into the Drainage Plan. Mr. Covington seconded the motion. Motion carried 4-0.

BOARD ADJOURNS

There being no further business to discuss, Mr. Arrington made the motion to adjourn. Mr. LaPray seconded the motion. Motion carried 4-0. The meeting adjourned at 10:50 a.m.



Brent Peveto
President



Cindy Perit
Recording Secretary