

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

April 13, 2021

The regular monthly meeting of the Board of Directors of the Orange County Drainage District was held on Tuesday, April 13, 2021 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:

Larry Ancelot, Jr.	Director, Precinct No. 2
James Scales	Director, Precinct No. 3
Hal LaPray	Director, Precinct No. 4

DIRECTORS PRESENT BY TELEPHONE CONFERENCE CALL:

Brent Peveto	Director At-Large
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DIRECTORS ABSENT:

Russell Covington	Director, Precinct No. 1
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OTHERS PRESENT:

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

MEETING OPENED

Mr. LaPray called the meeting of the Board of Directors of the Orange County Drainage District to order at 10:00 a.m. Mr. Barrow led the Invocation and the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Ancelot made a motion to dispense with the reading of, and to approve the minutes of the March 9, 2021 regular meeting. Mr. Scales seconded the motion. Motion carried 4-0.

VISITORS

None.

RECOGNIZE ACCEPTANCE OF TEXPOOL MARCH 2021 REPORT

No action required.

APPROVAL OF MARCH 2021 BILLS

After review and discussion, Mr. Ancelot made a motion to approve the bills for March, 2021. Mr. Scales seconded the motion. Motion carried 4-0.

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, 2021. No action required.

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

Mr. Ancelot made a motion to approve the renewal of the Public Official Director's Bonds for Board Members with Hartford Casualty Insurance Company. Mr. Scales seconded the motion. Motion carried 4-0.

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. Scales made a motion to approve the renewal of the employee healthcare insurance policy with TML MultiState Intergovernmental Employee Benefits Pool, and designation of the Employer Group Medical Plan designated as "Copay-2500-4K ER-DAW1&2". Mr. Ancelot seconded the motion. Motion carried 4-0.

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. Ancelot 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. Scales seconded the motion. Motion carried 4-0.

DISCUSSION AND APPROVAL OF APPLICATION FOR PIPELINE OR UTILITY PERMIT SUBMITTED BY GULF STATE PIPE LINE CO. INC

Mr. Scales made a motion to approve the application for the Pipeline or Utility Permit submitted by Gulf State Pipeline Co, Inc. Mr. Peveto seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR VIDOR MIDDLE SCHOOL PROJECT, TO BE LOCATED AT 2500 HIGHWAY 12, VIDOR, TEXAS, PREPARED BY BERNARDINO D. TRISTAN, P.E., DATED FEBRUARY 26, 2021

Mr. Scales made a motion to authorize the Drainage District Staff to approve the Drainage Study for Vidor Middle School Project, to be located at 2500 Highway 12, Vidor, Texas, prepared by Bernardino D. Tristan, P.E., dated February 26, 2021. Mr. Peveto seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR BLACKSHEEP BEVERAGE BARN PROJECT, TO BE LOCATED AT 8627 HIGHWAY 62, ORANGE, TEXAS, PREPARED BY SAMUEL PAUL FOUNTAIN, P.E., DATED FEBRUARY 22, 2021

Mr. Peveto made a motion to authorize the Drainage District Staff to approve the Drainage Study for Blacksheep Beverage Barn Project, to be located at 8627 Highway 62, Orange, Texas, prepared by Samuel Paul Fountain, P.E., dated February 22, 2021. Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL OF FINAL PLAT OF CYPRESSWOOD VILLAGE PHASE II, AND AUTHORIZATION OF THE OFFICE MANAGER TO SIGN SAID PLAT, BY PERMISSION, FOR EACH DIRECTOR

Mr. Peveto made a motion to approve the Final Plat of Cypresswood Village Phase II, and authorize the Office Manager to sign said plat, by permission, for each Director. Mr. Scales seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL OF MINOR PLAT OF EAGLE POINT BUSINESS PARK I, 1.014 ACRE AND 0.077 ACCESS EASEMENT, AND AUTHORIZATION OF THE OFFICE MANAGER TO SIGN SAID PLAT, BY PERMISSION, FOR EACH DIRECTOR

Mr. Ancelot made a motion to approve the Minor Plat of Eagle Point Business Park I, 1.014 Acre and 0.077 Access Easement, and authorize the Office Manager to sign said plat, by permission, for each Director. Mr. Scales seconded the motion. Motion carried 4-0.

EVALUATION AND RANKING OF PROPOSALS SUBMITTED IN RESPONSE TO THE REQUEST FOR COMPETITIVE SEALED PROPOSALS (RFCSP NO. 2021-01) FOR THE BAYOU WATERWAYS DEBRIS REMOVAL PROJECT

Following a report by the Evaluation Committee previously designated by the Board, Mr. Scales made a motion to accept and adopt the recommendation of the Evaluation Committee, and to rank the proposals submitted in response to RFCSP No. 2021-01 in the following order:

1. Aftermath Disaster Recovery, Inc.
2. Longhorn Mulching Inc.

Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION OF THE GENERAL MANAGER TO:

- A. Negotiate a contract with the highest ranked firm that submitted a proposal in response to the Request for Competitive Sealed Proposals, RFCSP No. 2021-01, for the Bayou Waterways Debris Removal Project, and to execute a contract on behalf of the District with said firm, subject to the review and approval of said contract by the District's attorney; and**
- B. If said negotiation is not successful, to negotiate and contract with the next highest ranked firm, subject to the review and approval of the contract by the District's attorney; and**

C. To continue such process until such a contract is obtained and executed or all proposals are rejected.

Mr. Ancelot made a motion to authorize the General Manager to negotiate a contract with Aftermath Disaster Recovery, Inc., the highest ranked firm that submitted a proposal in response to the Request for Competitive Sealed Proposals, RFCSP No. 2021-01, and to execute a contract on behalf of the District with said firm, subject to the review and approval of said contract by the District's attorney, and if such contract negotiation is not successful, to continue the process with the next highest ranked firm until a contract is obtained or all proposals are rejected. Mr. Scales seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION OF JOE ESCOBEDO, THE DISTRICT PURCHASER, TO OPEN THE SEALED PROPOSALS TIMELY SUBMITTED IN RESPONSE TO: A) THE DISTRICT'S REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES, RFQ-2021-02-TDEM-HMGP-ENG-LAURA; B) THE DISTRICT'S REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES, RFQ-2021-03-TDEM-HMGP-ENG-IMELDA; AND C) THE DISTRICT'S REQUEST FOR PROPOSALS FOR GRANT APPLICATION AND ADMINISTRATIVE SERVICES, RFP-2021-04-TDEM-HMGP-GRANT-LAURA, AT 2:00 P.M. ON APRIL 21, 2021, AND TO PROVIDE COPIES OF SUCH PROPOSALS TO THE EVALUATION COMMITTEE MEMBERS DESIGNATED BY THE BOARD OF DIRECTORS TO REVIEW, SCORE, AND RANK SAID PROPOSALS AND PROVIDE SUCH EVALUATIONS TO THE BOARD FOR THE BOARD'S CONSIDERATION IN SELECTING THE SERVICE PROVIDER(S) TO BE RETAINED TO PROVIDE SUCH SERVICES

Mr. Ancelot made a motion to authorize Joe Escobedo, the District Purchaser, to open the sealed proposals timely submitted in response to: a) the District's Request for Qualifications for Engineering Services, RFQ-2021-02-TDEM-HMGP-ENG-LAURA; b) the District's Request for Qualification for Engineering Services, RFQ-2021-03-TDEM-HMGP-ENG-IMELDA; and c) the District's Request for Proposals for Grant Application and Administrative Services, RFP-2021-04-TDEM-HMGP-GRANT-LAURA, at 2:00 p.m. on April 21, 2021 and to provide copies of such proposals to the evaluation committee members designated by the Board of Directors to review, score, and rank said proposals and provide such evaluations to the Board for the Board's consideration in selecting the service provider(s) to be retained to provide such services. Mr. Scales seconded the motion. Motion carried 4-0.

CONSIDERATION AND DESIGNATION OF AN EVALUATION COMMITTEE, CONSISTING OF THE DISTRICT PURCHASER, GENERAL MANAGER, ASSISTANT GENERAL MANAGER AND THE ASSISTANT MANAGER OF SPECIAL PROJECTS TO REVIEW, SCORE, AND RANK ALL OF THE SUBMITTALS TIMELY RECEIVED IN RESPONSE TO: A) THE DISTRICT'S REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES, RFQ-2021-02-TDEM-HMGP-ENG-LAURA; B. THE DISTRICT'S REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES, RFQ-2021-03-TDEM-HMGP-ENG-IMELDA; AND C) THE DISTRICT'S REQUEST FOR PROPOSALS FOR GRANT APPLICATION AND ADMINISTRATIVE SERVICES, RFP-2021-04-TDEM-HMGP-GRANT-LAURA, WHICH COMMITTEE WILL PROVIDE SUCH EVALUATIONS TO THE BOARD OF DIRECTORS FOR CONSIDERATION, IN THE BOARD'S SOLE DISCRETION, IN SELECTING THE SERVICE PROVIDER(S) TO BE

RETAINED TO PROVIDE SUCH SERVICES, CONSIDERING ALL OF THE CRITERIA SET FORTH IN SAID REQUESTS FOR QUALIFICATIONS AND PROPOSALS

Mr. Peveto made a motion to designate an evaluation committee consisting of Joe Escobedo, Don Carona, Austin Barrow, and Doug Manning, to review, score, and rank all of the submittals timely received in response to: a) the District's Request for Qualifications for Engineering Services, RFQ-2021-02-TDEM-HMGP-ENG-LAURA; b) the District's Request for Qualifications for Engineering Services, RFQ-2021-03-TDEM-HMGP-ENG-IMELDA; and c) the District's request for proposals for Grant Application and Administrative Services, RFP-2021-04-TDEM-HMGP-GRANT-LAURA, which committee will provide such evaluations to the Board of Directors for consideration, in the Board's sole discretion, in selecting the service provider(s) to be retained to provide such services, considering all of the criteria set forth in said requests for qualifications and proposals. Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND RESOLUTION AUTHORIZING THE ORANGE COUNTY DRAINAGE DISTRICT TO PARTICIPATE IN THE HARRIS COUNTY DEPARTMENT OF EDUCATION (HCDE) CHOICE PARTNERS COOPERATIVE PURCHASING PROGRAM, AND AUTHORIZING DON CARONA AND JOE ESCOBEDO TO EXECUTE ANY AND ALL REQUIRED DOCUMENTS PERTAINING TO SUCH PARTICIPATION

Mr. Ancelot made a motion to authorize the Orange County Drainage District to participate in the Harris County Department of Education (HCDE) Choice Partners Cooperative Purchasing Program, and authorize Don Carona and Joe Escobedo to execute any and all required documents pertaining to such participation. Mr. Scales seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION OF THE DRAINAGE DISTRICT TO ENTER INTO A REDISTRICTING LEGAL SERVICES RETAINER AGREEMENT WITH ROLANDO L. RIOS & ASSOCIATES, PLLC FOR ANALYSIS OF DRAINAGE PRECINCT BOUNDARIES BASED ON 2020 CENSUS AND FOR ASSISTANCE WITH RELATED NECESSARY ACTIONS, IF ANY

Mr. Peveto made a motion to authorize the Drainage District to enter into a Redistricting Legal Services Retainer Agreement with Rolando L. Rios & Associates, PLLC for a analysis of drainage precinct boundaries based on 2020 Census and for assistance with related necessary actions, if any. Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION OF THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE ORANGE COUNTY DRAINAGE DISTRICT AND DERRILE LEBLANC PERTAINING TO PROPERTY OWNED BY THE DRAINAGE DISTRICT, AND SPECIFICALLY DESCRIBED AS 611.084 ACRES OF LAND OUT OF THE R.W. WIER SECTION 4, ABSTRACT 469, ORANGE COUNTY, TEXAS (ORANGE COUNTY APPRAISAL DISTRICT IDENTIFICATION NOS. 27080 AND 27368)

Mr. Peveto made a motion to authorize the execution of a Lease Agreement between the Orange County Drainage District and Derrile LeBlanc pertaining to property owned by the Drainage District, and specifically described as 611.084 acres of land out of the R.W. Wier Section 4, Abstract 469, Orange County, Texas (Orange County Appraisal District Identification Nos. 27080 and 27368). Mr. Ancelot seconded the motion. Motion carried 4-0.

BOARD GOES INTO EXECUTIVE SESSION

Time: 11:27 a.m. Mr. Ancelot made a motion to enter into Executive Session to consult with the District's attorney regarding legal matters (as authorized by Texas Government Code Section 551.071). Mr. Scales seconded the motion. Motion carried 4-0.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 12:40 p.m.

BOARD ADJOURNS

There being no further business to discuss, Mr. Ancelot made the motion to adjourn. Mr. Scales seconded the motion. Motion carried 4-0. The meeting adjourned at 12:41 p.m.



Hal LaPray
Vice-President



Cindy Pent
Recording Secretary