

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

December 12, 2023

The regular monthly meeting of the Board of Directors of the Orange County Drainage District was held on Tuesday, December 12, 2023, at 10:00 a.m. at the District Office located at 8081 Old Highway 90, Orange, Texas. A quorum of the Board of Directors was present for this meeting of the Board of Directors at the location set forth above.

DIRECTORS PRESENT:

Russell Covington	Director, Precinct No. 1
Larry Ancelot, Jr.	Director, Precinct No. 2
James Scales	Director, Precinct No. 3
Hal LaPray	Director, Precinct No. 4

DIRECTORS ABSENT:

Brent Peveto	Director At-Large
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OTHERS PRESENT:

Neal Ford	General Manager
Douglas Manning	Assistant General Manager
Don Carona	Executive Manager of Special Projects
Andrea Fabacher	Recording Secretary
Martin Dies	Attorney
Keri Mitchuka	Accountant
Mickey Moshier	Insurance Consultant

MEETING OPENED

Mr. Scales called the meeting of the Board of Directors of the Orange County Drainage District to order at 10:00 a.m. Mr. Manning 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 November 14, 2023, regular meeting minutes. Mr. LaPray seconded the motion. Motion carried 4-0.

VISITORS

None

RECOGNIZE ACCEPTANCE OF TEXPOOL NOVEMBER 2023 REPORT

No action required.

APPROVAL OF NOVEMBER 2023 BILLS

After review and discussion, Mr. LaPray made a motion to approve the bills for November 2023. Mr. Covington seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL OF THE DISTRICT'S FY 2022-2023 INDEPENDENT AUDIT REPORT BY WATHEN, DESHONG & JUNCKER, LLP, CERTIFIED PUBLIC ACCOUNTANTS

Mr. Ancelot made a motion to approve the District's FY 2022-2023 Independent Audit Report by Wathen, Deshong & Juncker, LLP, Certified Public Accountants. Mr. Covington seconded the motion. Motion carried 4-0.

CONSIDERATION AND ACCEPTANCE OF THE CERTIFICATION OF CURRENT AND DELINQUENT TAX ROLLS BY THE ORANGE COUNTY TAX ASSESSOR-COLLECTOR

Mr. Covington made a motion to accept the Certification of Current and Delinquent Tax Rolls by the Orange County Tax Assessor-Collector. Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND POSSIBLE APPROVAL OF A COST OF LIVING ADJUSTMENT FOR DISTRICT RETIREES

Mr. Ancelot made a motion to approve a cost of living adjustment for current District Retirees of 3%. Mr. Covington seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL AUTHORIZING THE ORANGE COUNTY DRAINAGE DISTRICT TO ENTER INTO A JOINT ELECTION AGREEMENT SERVICES CONTRACT WITH THE ORANGE COUNTY ELECTIONS ADMINISTRATOR AND OTHER LOCAL ENTITIES

Mr. Ancelot made a motion to approve authorizing the Orange County Drainage District to enter into a Joint Election Agreement Services Contract with the Orange County Elections Administrator and other local entities. Mr. LaPray seconded the motion. Motion carried 4-0.

CONSIDER FOR APPROVAL A RESOLUTION APPROVING THE APPOINTMENT OF AGENT BY SECRETARY OF THE BOARD FOR PERFORMANCE OF DUTIES UNDER THE TEXAS ELECTION CODE, APPOINTING ANDREA FABACHER AS AGENT, AND CINDY PENT AND TAMMY JOHNSON AS ALTERNATE AGENTS

Mr. LaPray made a motion to approve a Resolution approving the appointment of Agent by the Secretary of the Board for performance of duties under the Texas Election Code, appointing Andrea Fabacher as Agent, and Cindy Pent and Tammy Johnson as Alternate Agents. Mr. Covington seconded the motion. Motion carried 4-0.

CONSIDER FOR APPROVAL THE DESIGNATION OF ASSISTANT GENERAL MANAGER DOUGLAS E. MANNING AS THE DISTRICT PUBLIC INFORMATION COORDINATOR

Mr. LaPray made a motion to designate Assistant General Manager Douglas E. Manning as the District Public Information Coordinator. Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND APPROVAL FOR A RESOLUTION AUTHORIZING THE SUBMITTAL OF ONE OR MORE 2023 FLOOD MITIGATION ASSISTANCE (FMA) GRANT PROGRAM APPLICATIONS TO THE TEXAS WATER DEVELOPMENT BOARD, AUTHORIZING THE EXECUTIVE MANAGER OF SPECIAL PROJECTS AND GENERAL MANAGER TO ACT AS THE DISTRICT'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE APPLICATION, AND COMMITTING MATCHING FUNDS

Mr. Ancelot made a motion to approve a Resolution authorizing the submittal of one or more 2023 Flood Mitigation Assistance (FMA) Grant Program applications to the Texas Water Development Board, authorizing the Executive Manager of Special Projects and General Manager to act as the District's authorized representatives in all matters pertaining to the application, and committing matching funds. Mr. Covington seconded the motion. Motion carried 4-0.

EVALUATION, RANKING AND SELECTION OF, AND AWARD OF CONTRACT TO, A FIRM(S) TO PROVIDE ENGINEERING SERVICES PURSUANT TO THE DISTRICT'S REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES RELATED TO THE FEMA DR-4705-HMGP AND 2023 FLOOD MITIGATION ASSISTANCE PROGRAM (RFQ-2023-06-HMGP-FMA), AND AUTHORIZATION OF THE DISTRICT'S EXECUTIVE MANAGER OF SPECIAL PROJECTS, 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

Following a report by the District Purchaser on behalf of the evaluation committee previously designated by the Board, regarding the evaluation of firms in response to the District's Request for Qualifications for Engineering Services related to the FEMA DR-4705-HMGP and 2023 Flood Mitigation Assistance Program (RFQ-2023-06-HMGP-FMA), Mr. Covington made a motion to rank the firms based on their submitted statements of qualifications in the following order and to select Tidewater Professional Services, LLC, as the most highly qualified firm:

1. Tidewater Professional Services, LLC
2. LJA Engineering
3. Arceneaux, Wilson, and Cole

and to authorize the District's Executive Manager of Special Projects, upon consultation and approval of the District's attorney, to negotiate and execute a contract with Tidewater Professional Services, LLC on behalf of the Drainage District. Mr. LaPray seconded the motion. Motion carried 4-0.

EVALUATION, RANKING 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 PROFESSIONAL GRANT ADMINISTRATION AND MANAGEMENT SERVICES RELATED TO THE FEMA DR-4705-HMGP AND 2023 FLOOD MITIGATION ASSISTANCE PROGRAM (RFP-2023-05-HMGP-FMA), AND AUTHORIZATION OF THE DISTRICT'S EXECUTIVE MANAGER OF SPECIAL PROJECTS, 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

Following a report by the District Purchaser on behalf of the evaluation committee previously designated by the Board, only one response was received to the District's Request for Professional Grant Administration and Management Services related to the FEMA DR-4705-HMGP and 2023 Flood Mitigation Assistance Program (RFP-2023-05-HMGP-FMA), therefore, Mr. Ancelot made a motion to select Traylor & Associates Incorporated and to authorize the District's Executive Manager of Special Projects, upon consultation and approval of the District's attorney, to negotiate and execute a contract with Traylor & Associates Incorporated on behalf of the Drainage District. Mr. LaPray seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION OF THE GENERAL MANAGER TO APPROVE THE AMENDED DRAINAGE PLANS SUBMITTED BY GOLDEN TRIANGLE POLYMERS COMPANY, LLC, AS SUCCESSOR IN INTEREST TO CHEVRON PHILLIPS CHEMICAL COMPANY LP, WHICH AMENDS THE DRAINAGE PLAN FOR THE LAND IMPROVEMENT PROJECT, PROJECT NO. 128965, DATED JUNE 10, 2021, PREPARED BY BURNS MCDONNELL, UNDER THE AUTHORITY OF CLARENCE JONES, P.E., AND THE DRAINAGE PLAN FOR THE USGC II PETROCHEMICALS OSBL – FEED, GULF COAST AREA PROJECT, PROJECT NO. 116056, LOCATED ADJACENT TO FOREMAN ROAD BETWEEN WESTERN AVENUE AND FM 1006 IN ORANGE, TEXAS, PREPARED BY RONALD REETZ, P.E., DATED DECEMBER 3, 2021, SUBJECT TO THE REVIEW AND APPROVAL OF THE DISTRICT'S ATTORNEY

Mr. Covington made a motion to authorize the General Manager to approve the amended drainage plans submitted by Golden Triangle Polymers Company, LLC, as successor in interest to Chevron Phillips Chemical Company LP, which amends the Drainage Plan for the Land Improvement Project, Project No. 128965, dated June 10, 2021, prepared by Burns McDonnell, under the authority of Clarence Jones, P.E., and the Drainage Plan for the USGC II Petrochemicals OSBL-Feed, Gulf Coast Area Project, Project No. 116056, located adjacent to Foreman Road between Western Avenue and FM 1106 in Orange, Texas, prepared by Ronald Reetz, P.E., dated December 3, 2021, subject to the review and approval of the District's attorney. Mr. LaPray seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE STUDY FOR THE INDUSTORE PROJECT TO BE LOCATED AT 440 SOUTH MAIN STREET, VIDOR, TX, PREPARED BY SAMUEL PAUL FOUNTAIN, P.E., DATED NOVEMBER 7, 2023

Mr. Ancelot made a motion to authorize Drainage District Staff to approve the Drainage Study for Industore Project to be located at 440 South Main Street, Vidor, Texas, prepared by Samuel Paul Fountain, P.E., dated November 7, 2023. Mr. Covington seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE PLAN FOR THE TEXAS 5 STAR OFFICE BUILDING PROJECT TO BE LOCATED AT 1715 ALLIE PAYNE ROAD, ORANGE, TX, PREPARED BY JEFFREY D. LEAVINS, P.E., DATED NOVEMBER 14, 2023

Mr. LaPray made a motion to authorize Drainage District Staff to approve the Drainage Plan for the Texas 5 Star Office Building located at 1715 Allie Payne Road, Orange, Texas, prepared by Jeffrey D. Leavins, P.E., dated November 14, 2023. Mr. Ancelot seconded the motion. Motion carried 4-0.

CONSIDERATION AND AUTHORIZATION FOR DRAINAGE DISTRICT STAFF TO APPROVE THE DRAINAGE PLAN FOR THE ORANGE SHADEE RV & MOBILE HOME PARK PROJECT TO BE LOCATED ON SH 62, ORANGE, TEXAS, PREPARED BY HANI J. TOHME, P.E., DATED OCTOBER 23, 2023

Mr. Covington made a motion to authorize Drainage District Staff to approve the Drainage Plan for the Orange Shadee RV & Mobile Home Park Project to be located on SH 62, Orange, Texas, prepared by Hani J. Tohme, P.E., dated October 23, 2023. Mr. Ancelot seconded the motion. Motion carried 4-0.

BOARD GOES INTO EXECUTIVE SESSION

Time: 11:01 a.m. Mr. Ancelot made a motion to enter into Executive Session to consult with the District's attorney concerning personnel-related matters pursuant to Tex. Gov't Code §551.074, Tex. Gov't Code §551.072 property related matters, and Tex. Gov't Code §551.071 legal matters. Mr. LaPray seconded the motion. Motion carried 4-0.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at 11:45 a.m.

CONSIDERATION AND AUTHORIZATION FOR THE GENERAL MANAGER TO ADJUST THE SALARY OF GAILEN HOOD, REGISTERED PROFESSIONAL LAND SURVEYOR

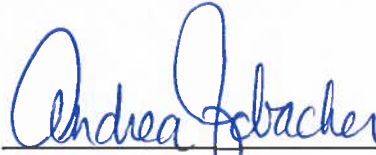
Mr. Covington made a motion to authorize the General Manager to adjust the salary of Gailen Hood, Registered Professional Land Surveyor. Mr. Ancelot seconded the motion. Motion carried 4-0.

BOARD ADJOURNS

There being no further business to discuss, Mr. Ancelot made the motion to adjourn. Mr. LaPray seconded the motion. Motion carried 4-0. The meeting adjourned at 11:47 a.m.



James Scales
Secretary



Andrea Fabacher
Recording Secretary