

MINUTES
GULF COAST PROTECTION DISTRICT

June 12, 2024

The Board of Directors (the “Board”) of Gulf Coast Protection District (the “District”) met in regular session, open to the public, on the 12th day of June, 2024, at 1150 Gemini Street, Suite 1050, Houston, Texas 77258, inside the boundaries of the District, and the roll was called of the members of the Board:

Michel Bechtel	President
Bob Mitchell	Vice President
Sally Bakko	Secretary
Larry Taylor	Assistant Secretary
Roger Guenther	Director
Lori Traweek	Director
Billy Combs	Director
Adrian Garcia	Director
Allan Ritter	Director
Kirk Roccaforte	Director
Sharon D. Hulgan	Director

and all of the above were present, thus constituting a quorum.

Also present at the meeting were: Nicole Sunstrum, Executive Director of the District; Grace Bader, Administrative Assistant for the District; Dedrea Norman, Chief Financial Officer for the District; Don Carona of Orange County Drainage District (“OCDD”); The Honorable John Gothia, Orange County Judge; Allen Sims of Jefferson County Drainage District No. 7 (“DD 7”); Ryan Caruso of the Office of Texas Senate District 11 Senator Mayes Middleton; Kristen Lee and Karen Wolfe of the Office of Harris County Commissioner Adrian Garcia (Precinct 2); Dr. Kelly Burks-Copes, Charles Wheeler, Toni Addison, and Nicole Snyder of the U.S. Army Corps of Engineers (“USACE”); Tony Williams, Sarah Purdon, and Mary Davison of the Texas General Land Office (“GLO”); Willi Gerami of West Gulf Maritime Association; Eric Carrero of the Greater Houston Port Bureau; Dawn Pilcher of Tidewater Professional Services LLC; Chris Sallese of DEC; Ross Gordon of Gordon Consulting Group; Duggan Baker and Jane Miller of Allen Boone Humphries Robinson LLP; Mark Burton of Municipal Accounts & Consulting, L.P. (“MAC”); Leslie Hollaway and Justin Tassin of Hollaway Environmental and Communications Services, Inc. (“Hollaway”); Yvonne Hernandez, Gregg Pawlak, and Prasad Rajulu of Terracon Consultants, Inc. (“Terracon”); Peggy Zahler of PZ Consulting; Larry Dunbar of the SSPEED Center; Barton Johnson of AECOM; Jeff Scarborough and Juan Moya of Stantec; Jason Foltyn of HDR Engineering; Lars Zetterstrom of LAN; Samantha Haritus of K Friese & Associates; Coraggio Maglio of DCCM; Eric Potts and Anthony Risko of Freese and Nichols; Austin Ficken of Masterson Advisors; Umesh Bachu of Baird & Associates; Leigh Martin and John Ivery of Schaumburg & Polk, Inc.; Jay Luckritz of Black & Veatch; Simon VanDyk and Calep Estes of Touchstone District Services; Doug Peterson; and other members of the public.

ROLL CALL

Ms. Sunstrum called roll and confirmed a quorum was present.

PUBLIC COMMENTS

Ms. Zahler commented on her regular reporting to the City Council of the City of League City on District activities. She commended District representatives for their responsiveness to inquiries.

MINUTES OF PREVIOUS MEETING(S)

The Board considered approving the minutes of the May 8, 2024, regular meeting. After review and discussion, Director Garcia moved to approve the minutes as submitted. Director Mitchell seconded the motion, which passed unanimously.

FINANCIAL AND BOOKKEEPING MATTERS AND AMENDMENT AND RESTATEMENT OF AGREEMENT FOR BOOKKEEPING SERVICES

Mr. Burton reviewed the bookkeeper's report, including the list of checks for payment of District bills, a copy of which is attached. He noted that a proposed amendment to the District's budget will be presented at a future meeting.

Mr. Burton next reviewed a proposed Amended and Restated Agreement for Bookkeeping Services between MAC and the District for the purpose of updating MAC's hourly rates.

After review and discussion, Director Garcia moved to approve the bookkeeper's report and payment of the bills. Director Traweck seconded the motion, which carried unanimously.

Director Guenther then moved to approve and authorize execution of the Amended and Restated Agreement for Bookkeeping Services with MAC. Director Garcia seconded the motion, which carried unanimously.

REPORT FROM GENERAL LAND OFFICE

Ms. Purdon reported on the memorandum of understanding for design work that was recently submitted to USACE.

Ms. Purdon discussed ecosystem restoration segment G-28, Bolivar Peninsula and West Bay Gulf Intracoastal Waterway Shoreline and Island Protection ("G-28"), a project included in the Coastal Texas Protection and Restoration Feasibility Study ("Coastal Texas"). She discussed funding available and support for the project from the Texas Department of Transportation.

Ms. Purdon reported on a meeting with the City of Houston to discuss the possible use of sediment from Lake Houston and the anticipated quantities available.

Ms. Davison discussed the funds available from House Bill 1, 88th Texas Legislature, Regular Session, for engineering design and work-in-kind. She reported that GLO is working to finalize the Local Cooperation Agreement ("LCA") for such funds. Ms. Davison then updated the Board on GLO's audit of the District, noting that field work is underway and a management report should be ready next month.

REPORT FROM PRESIDENT OF THE BOARD

Director Bechtel reported on recent and upcoming meetings and events with stakeholders and elected officials regarding District projects and funding.

REPORT FROM EXECUTIVE DIRECTOR

Ms. Sunstrum updated the Board on coordination with USACE to execute the Design Agreement for Coastal Texas. She reported on coordination with GLO to finalize the LCA and determine the agreements necessary to proceed with G-28. She also discussed preparation of a proposed legislative appropriations request to be submitted to GLO. Ms. Sunstrum then reported on responses received and resumes under review for the position of senior project manager for the District.

SABINE TO GALVESTON MATTERS

Mr. Baker reported on access needed to 95 additional parcels of real property identified by USACE to conduct future cultural resources investigations for the Orange County Separable Element of Sabine Pass to Galveston Bay (the "Orange County Project"). He discussed the form of notice letter to be sent to the owners of the parcels and responded to questions about the notice process. Discussion ensued. Mr. Sallesse responded to questions regarding the cultural resources investigations to be conducted. After review and discussion, Director Mitchell moved to reauthorize the form of notice letter to be distributed to the owners of the 95 parcels identified by USACE. Director Bakko seconded the motion, which passed unanimously.

DISTRICT PROGRAM MANAGEMENT MATTERS

Mr. Sallesse gave a presentation on District program management efforts related to the Orange County Project.

Mr. Sallesse discussed the agreement negotiated with Terracon for conduct of the remaining 68 phase 2 environmental site assessments for the Orange County Project, pursuant to authorization granted by the Board during its April meeting. He next reviewed the following proposals related to the Orange County Project: (1) proposal to perform independent quality assurance and technical review for phase 2 environmental site assessments by Black & Veatch; (2) proposal for four additional groundwater samples by Geotest Engineering, Inc. ("Geotest"); and (3) proposal for environmental and cultural resource monitors for 19 phase 2 environmental site assessments for the Dow Levee, Arlanxeo Levee, and Torrent Floodwall projects by Hollaway. Mr. Sallesse discussed the proposed scope of work included in each of the proposals and responded to questions from the Board, noting that the Black & Veatch, Geotest, and Hollaway proposals will be subcontracted as task orders pursuant to the terms of the Professional Engineering Services Agreement between the District and DEC. He discussed outstanding environmental approvals and a delay in the timetable for completion of assessments for the Dow Levee project due to the results of the black rail listening survey. Mr. Gordon discussed the additional groundwater samples to be taken in the vicinity of the City of Orange.

Mr. Baker discussed the form of right-of-entry for the phase 2 assessments to be conducted by Terracon. Mr. Sallesse responded to questions regarding the borings. After review and discussion, Director Mitchell moved to approve and authorize execution of the agreement with Terracon, based

on DEC's recommendation, and to approve the form of right-of-entry. Director Garcia seconded the motion, which passed unanimously.

The Board considered approving the proposal from Black & Veatch to perform independent quality assurance and technical review for the phase 2 environmental site assessments to be conducted by Geotest and Terracon, respectively. Messrs. Sallese and Gordon responded to questions from Director Hulgan regarding the value of the independent third-party review. After review and discussion, Director Combs moved to approve the Black & Veatch proposal as an additional task order pursuant to the terms of the Professional Engineering Services Agreement between the District and DEC. Director Traweck seconded the motion, Director Hulgan voted nay, and the motion passed by majority vote.

The Board next considered approving the proposal from Geotest for four additional groundwater samples. Mr. Gordon explained that the additional borings are needed to confirm the requirements for the 17 borings that did not reach groundwater. Discussion ensued. Director Roccaforte moved to approve the Geotest proposal as an additional task order pursuant to the terms of the Professional Engineering Services Agreement between the District and DEC. Director Bakko seconded the motion. Upon further discussion, the motion was withdrawn and the proposal was tabled until later in the meeting.

The Board then considered approving the proposal from Hollaway for environmental and cultural resource monitors for 19 phase 2 environmental site assessments for the Dow Levee, Arlanxeo Levee, and Torrent Floodwall projects. Discussion ensued. After review and discussion, Director Hulgan moved to approve the Hollaway proposal as an additional task order pursuant to the terms of the Professional Engineering Services Agreement between the District and DEC, subject to finalization by DEC and ABHR. Director Garcia seconded the motion, which passed by unanimous vote.

Mr. Gordon next updated the Board on the Post-Authorization Change Report ("PACR") for the Orange County Project, including the schedule and next steps.

Mr. Sallese reviewed a summary of prior and upcoming program management activities for the Orange County Project, including the project schedules for the Dow Levee and Arlanxeo Levee projects and the Torrent Floodwall project, pump station designs, schedules for phase 2 environmental site assessments, and various meetings with stakeholders. He also reviewed financials for the program management team, noting the proposals presented at today's meeting are not reflected.

REPORT FROM ORANGE COUNTY DRAINAGE DISTRICT AND JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7

Following Mr. Sallese's report, Mr. Carona noted that he did not have anything additional to report.

Mr. Sims updated the Board on the Jefferson County Separable Elements of Sabine Pass to Galveston Bay.

COASTAL TEXAS MATTERS

There was no discussion on this item.

UPDATE FROM REGION 6 STATE FLOOD PLANNING GROUP

Director Bakko reported on the status of the draft State Flood Plan, noting the final Plan must be adopted by September 1, 2024.

SCHEDULE AND LOCATION FOR NEXT MEETING

Director Bechtel reported that the District's next meeting is scheduled for July 10th at 10:00 a.m. at 1150 Gemini St., Houston, Texas 77058.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONSULT WITH ATTORNEYS

At 12:00 p.m., Director Bechtel announced that the Board would convene in executive session pursuant to Section 551.071, Texas Government Code, to discuss legal matters related to the proposal from Geotest for four additional groundwater samples in connection with the phase 2 environmental site assessments for the Orange County Project.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

At 12:39 p.m., Director Bechtel announced that the Board would reconvene in open session. Director Hulgán moved to approve the Geotest proposal as an additional task order pursuant to the terms of the Professional Engineering Services Agreement between the District and DEC. Director Roccaforte seconded the motion, which passed unanimously.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board did not convene in executive session pursuant to Section 551.072, Texas Government Code.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.



Dolly Bakko
Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

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