

MINUTES
GULF COAST PROTECTION DISTRICT

January 10, 2024

The Board of Directors (the “Board”) of Gulf Coast Protection District (the “District”) met in regular session, open to the public, on the 10th day of January, 2024, at the Kaila M. Sullivan Chapel & Hall, 5000 NASA Rd 1, Seabrook, Texas 77586, inside the boundaries of the District, and the roll was called of the members of the Board:

Michel Bechtel	President
Bob Mitchell	Vice President
Roger Quiroga	Secretary
Sally Bakko	Assistant Secretary
Roger Guenther	Director
Lori Traweek	Director
Billy Combs	Director
Adrian Garcia	Director
Allan Ritter	Director
Kirk Roccaforte	Director
Vacant	Director

and all of the above were present except Directors Quiroga, Guenther, and Garcia, thus constituting a quorum.

Also present at the meeting were: Nicole Sunstrum, Executive Director of the District; Grace Bader, Administrative Assistant for the District; Don Carona of Orange County Drainage District (“OCDD”); Allen Sims, Phil Kelley, and Toby Davis of Jefferson County Drainage District No. 7 (“DD 7”); Kelly Waterman of the Office of U.S. Senator Ted Cruz; Will Carter of the Office of U.S. Congressional District 36 Representative Brian Babin; Kristen Lee and Doug Peterson of the Office of Harris County Commissioner Adrian Garcia, Precinct 2; Kelly Burks-Copes and Lt. Peter Battung of the U.S. Army Corps of Engineers (“USACE”); Tony Williams, Warren Collier, Danielle DeVacque, Elizabeth Ozuna, Sarah Purdon, and Stephanie Davidson of the Texas General Land Office (“GLO”); Dawn Pilcher of Tidewater Professional Services LLC; Chris Salles of DEC; Duggan Baker and Kristen Hogan of Allen Boone Humphries Robinson LLP (“ABHR”); Mark Burton of Municipal Accounts & Consulting, L.P.; Leslie Hollaway and Connor Stokes of Hollaway Environmental and Communications Services, Inc.; Ross Gordon of Gordon Consulting Group; Austin Ficken of Masterson Advisors LLC; Larry Dunbar of the SSPEED Center; Marc Broussard of Callan Marine; Michael Johnson of Solmax; Jeff Scarborough and Robert Esenwein of Stantec; Gretchen McInnes of Hanes Geo Components; Norman Kramer of Tetra-Tech; Margaret Dubbin of GeoConsultants; Leigh Martin and Mark Dessens of Schaumburg & Polk, Inc.; Jay Luckritz of Black & Veatch; Samantha Haritus of K Friese & Associates; Simon VanDyk and Calep Estes of Touchstone District Services; Sharon D. Hulgan, director appointee; and other members of the public.

ROLL CALL

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

PUBLIC COMMENTS

There were no public comments.

MINUTES OF PREVIOUS MEETING(S)

The Board considered approving the minutes of the December 13, 2023, regular meeting. After review and discussion, Director Combs moved to approve the minutes as submitted. Director Roccaforte seconded the motion, which passed unanimously.

DIRECTOR MATTERS

Mr. Baker discussed Texas Governor Greg Abbott's appointment of Sharon D. Hulkan to the Board to fill the vacant term expiring June 16, 2025. Ms. Hulkan presented her executed Sworn Statement, Oath of Office, and Official Bond in connection with her appointment.

The Board considered reorganization and concurred for Ms. Hulkan to serve in the position of Director and for the other Board members to retain their current offices and positions. The Board then considered authorizing the filing of an updated District Registration Form with the Texas Commission on Environmental Quality to reflect the new Board member.

Mr. Baker discussed the Texas Open Meetings Act and Texas Public Information Act training requirements. He stated that each elected or appointed public official is required to complete a course of training regarding responsibilities of the governmental body and its members under the Open Meetings Act. Ms. Sunstrum stated that Ms. Hulkan completed the required training and submitted her certificate of completion for the District's records.

Mr. Baker reviewed a memorandum regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission. He stated that pursuant to Chapter 176 of the Texas Local Government Code, the District is required to maintain a List of Local Government Officers. Mr. Baker reviewed the List of Local Government Officers with the Board.

After review and discussion, Director Mitchell moved to take the following actions and direct that these documents be filed appropriately and retained in the District's official records: (1) approve the Sworn Statement, Oath of Office, and Official Bond of Sharon D. Hulkan and direct that the Oath of Office be filed with the Texas Secretary of State; (2) authorize execution and filing of an updated District Registration Form with the TCEQ; and (3) approve and authorize execution of the List of Local Government Officers. Director Roccaforte seconded the motion, which passed unanimously.

CYBERSECURITY TRAINING REQUIREMENTS

Mr. Baker reviewed a memorandum regarding annual cybersecurity training requirements for certain local government employees and officials who have access to a government computer system or database and use a computer to perform at least 25% of their required duties. He stated that the required training should be completed and reported to ABHR prior to the August 31st deadline for reporting compliance to the Texas Department of Information Resources ("DIR"). Mr. Baker stated

that ABHR will coordinate with District employees, as applicable, on completion of a DIR-certified training program and reporting to DIR prior to the deadline.

FINANCIAL AND BOOKKEEPING MATTERS

Mr. Burton reviewed the bookkeeper's report, including the list of checks for payment of District bills, a copy of which is attached. After review and discussion, Director Roccaforte moved to approve the bookkeeper's report and payment of the bills. Director Ritter seconded the motion, which carried unanimously.

REPORT FROM GENERAL LAND OFFICE

Mr. Williams reported on GLO efforts and the status of the sediment source survey pursuant to that certain Interlocal Project Cooperation Agreement between GLO and the District, dated October 22, 2023. He stated that 108 samples have been taken and are under analyses, with 11 additional samples to be taken. In response to questions, Mr. Williams said all of the samples were taken from the Gulf of Mexico but that the GLO is reviewing a report from the City of Houston on samples taken from Lake Houston and will conduct a site visit soon to determine quantities and feasibility of such source. Mr. Williams then reported on an upcoming presentation to the American Shore and Beach Preservation Association.

Mr. Williams next responded to questions regarding coordination with the District and USACE to ensure that work being done by GLO is eligible for work-in-kind credit. Dr. Burks-Copes noted that an in-kind memorandum of understanding for construction and a design agreement need to be in place for Coastal Texas before USACE can determine eligibility for any work-in-kind.

Ms. Ozuna discussed the District's most recent funding request, pursuant to the Local Cooperation Agreement between the District and GLO, as amended. She said the request was processed by GLO and funds were sent to the District. Ms. Ozuna noted that GLO is working with the District on the proposed agreement to allocate funds appropriated by the 88th Texas Legislature for District purposes.

Mr. Williams addressed additional questions regarding credit for work being done by GLO. He said GLO is working with their legal team to ensure an agreement is put in place between GLO and the District to address eligibility for work credit.

REPORT FROM BOARD PRESIDENT

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

REPORT FROM EXECUTIVE DIRECTOR

Ms. Sunstrum reported on updates from USACE, including the schedule for advertising phase 2 of the Multiple Award Task Order for the Sabine Pass to Galveston Bay Program Freeport Project and the upcoming Industry Day to be held at Moody Gardens.

IN-KIND MEMORANDUM OF UNDERSTANDING WITH UNITED STATES ARMY
CORPS OF ENGINEERS FOR CONSTRUCTION WORK RELATED TO THE COASTAL
TEAS PROTECTION AND RESTORATION PROJECT

The Board considered tabling this item, pending receipt of the proposed in-kind memorandum of understanding from USACE. Director Bakko commented on the timing and importance of the memorandum of understanding to maximize funding opportunities for work-in-kind. Ms. Sunstrum updated the Board on the status of the memorandum of understanding, noting that comments are being incorporated and it should be ready to present at a future meeting.

DISTRICT PROGRAM MANAGEMENT MATTERS

Mr. Sallese updated the Board on program management activities related to the Orange County Separable Element of Sabine Pass to Galveston Bay. He discussed the status of the PACR scoping document under review by USACE's Central Division.

Mr. Sallese updated the Board on the status of the interior drainage system optimization and results observed to date. He said the analysis should be completed and presented to USACE later this month. He added that USACE provided a memorandum on the scope of work.

Mr. Sallese next updated the Board on design of the Dow Levee and the Arlanxeo Levee. He said a memorandum from USACE on the scope of work is anticipated once initial comments are addressed. He reviewed the design schedule for the projects.

Mr. Sallese then updated the Board on USACE's early start project, noting preparation of a schedule is underway.

Mr. Sallese addressed questions from the Board. He said geotechnical work and cultural investigations are on schedule and discussed an upcoming meeting regarding the alignment. He also reported on a recent meeting with Port Orange regarding a grant they received that could impact the alignment and will require further coordination. Ms. Sunstrum said she will send Mr. Sallese's presentation from last month's meeting to the Board members. Mr. Sallese said he will prepare a report of discussion items he plans to review for future meetings.

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

Mr. Carona echoed Director Bakko's comments about the importance of ensuring maximum work-in-kind credit and discussed related language in the memorandum of understanding. He also discussed Port Orange's support of District efforts and coordination on projects.

Mr. Sims updated the Board on the Jefferson County Separable Element of Sabine Pass to Galveston Bay. He reported on a meeting with the Texas Department of Transportation ("TxDOT") to coordinate projects impacting TxDOT-owned or maintained roadways to reduce overall costs and future maintenance, adding that documentation is being submitted to USACE for review and possible credit. Mr. Sims then responded to questions from the Board regarding work underway.

UPDATE FROM REGION 6 STATE FLOOD PLANNING GROUP

Director Bakko reported on a recent meeting of the Region 6 San Jacinto Regional Flood Planning Group, including a presentation on the Flood Intended Use Plan and pending comment period. She also discussed the Texas Water Development Board's abridged application process for the Flood Infrastructure Fund.

SCHEDULE AND LOCATION FOR NEXT MEETING

Director Bechtel reported that the District's next meeting is scheduled for February 14th at 10:00 a.m. in Jefferson County.

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

The Board did not convene in executive session.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, OR DUTIES OF AN EMPLOYEE

The Board did not convene in executive session.

ADJOURNMENT

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



Robby Bakko
Asst. Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

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