

MINUTES  
GULF COAST PROTECTION DISTRICT

March 19, 2025

The Board of Directors (the "Board") of Gulf Coast Protection District (the "District") met in regular session, open to the public, on the 19th day of March, 2025, at 1150 Gemini Street, Suite 1050, Houston, Texas 77058, 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
Tina Petersen	Director
Allan Ritter	Director
Kirk Roccaforte	Director
Sharon D. Hulgan	Director

and all of the above were present except Directors Bakko and Petersen, thus constituting a quorum.

Also present for all or part of the meeting were: Coalter Baker, Executive Director for the District; Grace Bader, Administrative Assistant for the District; Yaneth Cooper of Municipal Accounts & Consulting, L.P.; Don Carona of Orange County Drainage District ("OCDD"); Allen Sims and Toby Davis of Jefferson County Drainage District No. 7 ("DD 7"); Dr. Kelly Burks-Copes of the U.S. Army Corps of Engineers ("USACE"); Sarah Purdon, and Mary Davison of the Texas General Land Office ("GLO"); Chris Sallese of Gannett Fleming, Inc.; Ross Gordon of Gordon Consulting Group; David Oliver, Kelly Hanen, and Cheryl Panozzo of Allen Boone Humphries Robinson LLP ("ABHR"); and other members of the public, including those persons included on the attached list.

ROLL CALL

Mr. Baker called roll and confirmed a quorum was present.

PUBLIC COMMENTS

There were no public comments.

## MINUTES OF PREVIOUS MEETING

The Board considered approving the minutes of the February 12, 2025, meeting. After review and discussion, Director Hulgán moved to approve the minutes as submitted. Director Traweek seconded the motion, which passed unanimously.

## FINANCIAL AND BOOKKEEPING MATTERS

Ms. Cooper 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 passed unanimously.

## ANNUAL REPORT

The Board reviewed the District's annual report. Mr. Gordon stated that the report will be submitted to the Texas Legislature, the Legislative Budget Board, the GLO, and the Commissioners Court of each county in which the District is located, as required by the legislation creating the District, and posted on the District's website. The Board requested that the report also be submitted to each member of Texas' Congressional delegation located within the District's boundaries. After review and discussion, Director Combs moved to approve and authorize submission of the annual report. Director Mitchell seconded the motion, which passed unanimously.

## REPORT FROM EXECUTIVE DIRECTOR AND CHIEF FINANCIAL OFFICER

Director Bechtel reported regarding the hiring of Mr. Baker as the District's Executive Director. Mr. Baker then introduced himself.

Mr. Gordon reported on financial and administrative efforts from the previous month including preparation and submittal of Advance Funds Requests to the GLO for funding appropriated by House Bill 1, 88<sup>th</sup> Texas Legislature, Regular Session ("HB 1") and Senate Bill 1, 87<sup>th</sup> Texas Legislature, Regular Session ("SB-1"). He noted receipt of an advance from GLO in the amount of \$1,945,000 for design costs for ecosystem restoration segment G-28, Bolivar Peninsula and West Bay Gulf Intracoastal Waterway Shoreline and Island Protection ("G-28"), a project included in Coastal Texas Protection and Restoration Feasibility Study ("Coastal Texas"), from funds appropriated by HB 1.

Mr. Gordon then reported on the conclusion of negotiations with GLO regarding the following: (1) Amendment No. 2 to Local Cooperation Agreement ("LCA") No. 24-109-000-E394 between the District and GLO for funds appropriated by HB 1 (the "HB 1 Amendment"); (2) Amendment No. 4 to LCA No. 22-074-000-D188 between the District and GLO related to funds appropriated by SB 1; and (3) Amendment No. 1 to Interlocal Project Cooperation Agreement No. 25-025-000-E784 between the District and GLO for G-28.

Mr. Gordon also reported on coordination by District staff of proposed “work groups” to include representatives from the District, USACE and GLO.

Mr. Gordon reported that the first workshop with Texas A&M University-Galveston regarding the Gate Alternatives Study was held on March 5, 2025. Dr. Burks-Copes stated that USACE is working on the District’s eligibility to receive work-in-kind credit for this effort.

Mr. Gordon and Dr. Burks-Copes then gave updates on submittal of the Memorandum of Understanding for Coastal Texas construction work to USACE for approval and regarding congressional notifications required in connection with the proposed amendment to the Design Agreement between the District and USACE for Coastal Texas. Discussion ensued.

#### REPORT FROM PRESIDENT OF THE BOARD

Director Bechtel reported that Lt. Col. Ian O’Sullivan of USACE will be spending the next 90 days in Southern California due to the recent fire disasters.

Director Bechtel then reported on 89<sup>th</sup> Texas Legislature matters and on recent and upcoming meetings with stakeholders and elected officials regarding District projects and funding. He noted that the District’s Chief Financial Officer, Dedrea Norman, and Directors Bakko and Petersen are providing testimony at a hearing today on House Bill 1089 (Trust Fund Bill.)

#### SABINE TO GALVESTON (“S2G”) MATTERS

Messrs. Sallese and Gordon gave a presentation on District program management matters related to the Orange County Separable Element of S2G (the “Orange County Project”).

Mr. Gordon updated the Board on the Post-Authorization Change Report (“PACR”) efforts and reviewed the current schedule for the various elements of the PACR process. He stated that a draft memorandum regarding the Chief’s discretionary authority for the Orange County Project was received from USACE Galveston on March 12, 2025, and is under review.

Mr. Sallese reviewed the status and schedule for the various rounds of phase II environmental site assessments by Geotest Engineering, Inc. and Terracon Consultants, Inc. (“Terracon”). He reported that a scope of work was provided to Dow Chemical (“Dow”), and Dow is coordinating with their vendor to conduct the testing for the Dow Levee project.

Mr. Sallese updated the Board on the status of design of the Dow Levee and Arlanxeo Levee projects. He reported that 60% design plans are still on hold until

consensus is reached with USACE on soil improvements for the projects. He noted that a meeting is scheduled for March 25, 2025, with USACE to discuss Dow soil improvements. Discussion ensued.

Mr. Sallesse then updated the Board on the status of design of the Torrent Floodwall project by USACE. He reported on errors in the design calculations and in the design of the floodwall discovered in the 60% design plans and stated that a new design schedule is in development. Mr. Sallesse also provided an update on coordination on development of utility relocation reimbursement agreements for the project.

Mr. Sallesse reviewed a summary of recent program management activities and upcoming program management activities for the next 30-60 days. He also reviewed financials for the program management team.

Mr. Gordon discussed the Master Agreement for Professional Services between the District and Terracon (the "Terracon Agreement") and the related Task Order No. 1 to conduct phase II environmental site assessments for the Orange County Project. He discussed the program management team's recommendation for Board approval of Task Order No. 2 to continue to advance HTRW-related planning and compliance activities. After review and discussion, Director Mitchell moved to approve and authorize execution of Task Order No. 2 to be incorporated into the Terracon Agreement. Director Traweek seconded the motion, which passed by unanimous vote.

#### REPORT FROM JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7

Mr. Davis provided a presentation on the status of construction contracts and utility relocations for the Jefferson County Separable Element of S2G. He reported on the anticipated award of the contract for construction of PAV04.

#### APPROVAL OF AMENDMENT NO. 2 TO LOCAL COOPERATION AGREEMENT NO. 24-109-000-E394 BETWEEN GULF COAST PROTECTION DISTRICT AND TEXAS GENERAL LAND OFFICE

Mr. Gordon reviewed a proposed updated HB 1 Amendment to (1) extend the contract date; (2) revise terms to allow more than one advance funding request per month; (3) allow for accelerated funds to USACE; and (4) amend Attachment A to re-allocate funds to the District from funds appropriated pursuant to HB 1 as needed. He noted that the budget in Attachment A-2 was revised subsequent to approval of the HB 1 Amendment by the Board last month. Following review and discussion, Director Taylor made a motion to approve and authorize execution of the HB 1 Amendment. Director Guenther seconded the motion, which passed unanimously.

## COASTAL TEXAS MATTERS

Mr. Gordon then reviewed a proposed Amendment No. 1 to Interlocal Project Cooperation Agreement No. 25-025-000-E784 between the District for G-28 (the "G-28 Agreement"). He stated that this amendment reflects the revisions in the scope of work negotiated with USACE by the District and GLO subsequent to approval of the G-28 Agreement by the Board. Following review and discussion, Director Mitchell made a motion to approve and authorize execution of Amendment No. 1 to the G-28 Agreement, subject to final attorney review. Director Traweek seconded the motion, which passed unanimously.

## REPORT FROM GENERAL LAND OFFICE

Ms. Purdon reported on the Advance Funds Requests received by the District, following execution of Amendment No. 4 to the LCA between the District and GLO for funds appropriated by SB 1. She noted she anticipates that another amendment to the agreement will need to be negotiated.

Ms. Purdon reported that an advance from GLO for design costs for G-28 from funds appropriated by HB 1 was received by the District earlier today.

Ms. Purdon reported on progress related to the Memorandum of Understanding for Coastal Texas construction work with USACE.

Ms. Purdon reported on design of M-8, East Matagorda Bay Shoreline Protection, a project included in Coastal Texas and noted that GLO is coordinating with USACE on who will construct the project.

Ms. Purdon reported on GLO's continued coordination with the U.S. Department of Fish and Wildlife on South Padre beach nourishment efforts.

## UPDATE FROM REGION 6 STATE FLOOD PLANNING GROUP

There was no discussion on this matter.

## EMPLOYMENT MATTERS

The Board concurred to defer discussion on this agenda item to later in the meeting during executive session.

## SCHEDULE AND LOCATION FOR NEXT MEETING

Following discussion, the Board concurred to hold the District's next meeting on April 9, 2025, 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 11:39 a.m., the Board convened in executive session pursuant to Section 551.071, Texas Government Code, to seek the advice of its attorney on legal matters related to S2G matters, including the Orange County Project. The Board determined Mr. Baker's attendance in this executive session was necessary for the Board to obtain the necessary legal advice from its attorneys and requested his presence in the executive session. Present at the closed meeting were Directors Bechtel, Mitchell, Taylor, Guenther, Hulgan, Traweek, Combs, Ritter, and Roccaforte, Mr. Baker, Mr. Oliver, Ms. Hanen, and Ms. Panozzo.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

At 12:02 p.m., the Board reconvened in open session.

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.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.074, TEXAS GOVERNMENT CODE, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE

At 12:03 p.m., the Board convened in executive session pursuant to Section 551.074, Texas Government Code, to discuss employment matters related to District personnel. Present at the closed meeting were Directors Bechtel, Mitchell, Taylor, Guenther, Hulgan, Traweek, Combs, Ritter, and Roccaforte, Mr. Baker, Mr. Oliver, Ms. Hanen, and Ms. Panozzo.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION

At 12:23 p.m., the Board reconvened in open session.

CONSIDER MATTERS REGARDING ENTERING INTO A CONTRACT FOR ENVIRONMENTAL COUNSEL LEGAL SERVICES

Director Taylor moved to authorize the Executive Director to negotiate and execute an engagement letter for environmental counsel legal services for the Orange County Project as discussed. Director Hulgan seconded the motion, which passed unanimously.

ADJOURNMENT

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

*Larry Payne*  
Asst. Secretary, Board of Directors

(SEAL)



LIST OF ATTACHMENTS TO MINUTES

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