

**Cypress Creek Flood Control Coalition**  
**Meeting Minutes January 18, 2023**

Call to Order: 6:35pm

Attendees: Board Members:

Jim Robertson  
Joe Myers  
Pete Smullens  
Cathy Dunn  
John Porea  
Mark Adam  
Dick Smith

Absent Board Members:

Jack Sakolosky

Participants:

Dave Baldwin  
Bill St. Clair  
Lisa Foley

Guest: Andre Berdugo – Malcomson Road Utility District

Agenda Item 1 – Handouts and monthly transmittals – discussed below as per handout topic.

Agenda Item 2 – Review Member Listing – no new membership applications.

Agenda Item 3 – Review and Approve Previous Board Meeting Minutes

- a) October 2022 minutes were approved provisionally at a previous meeting. Provision remains open for comments.
- b) December 2022 minutes open for comments –
  - a. Per Jim Robertson, page 3, item b, bullet 1 - The San Jacinto Regional Flood Planning Group – error in definition of FMP – Correct definition is Flood Mitigation Project (not Flood Management Project).
  - b. Per Jim Robertson, page 3, item b, bullet 2 – strike entire bullet - stated information is inaccurate.
- c) Strike Darren Hoyland from all future agendas – resignation accepted in December 2022. Mark Adam to revise Fact Sheet and send out to everyone.
- d) Dick to send comments.
- e) Motion to approve minutes with above corrections and pending Dick's comments.
  - a. Pete Smullens motion to approve; Jim Robertson – 2<sup>nd</sup>.
    - i. All approved – none opposed.

#### Agenda Item 4 – Financials

- a) John Porea presented monthly financials and budget.
  - a. Dick Smith noted that the budget is subject to change to meet the needs of the coalition during the year.
  - b. Motion to approve financials.
    - i. Motion to approve – Jim Robertson, 2<sup>nd</sup> Cathy Dunn
    - ii. All approved – none opposed.
- b) Jim Robertson inquired as to conference call phone contract – is it limited or unlimited minutes for monthly fee? John replied he thinks it is unlimited and can be used for Greenway Project calls as well as monthly meetings. The only limitation is there can be only 1 call in progress at a time.

#### Agenda Item 5 - Old Business

- a) Cypress Creek Flooding Task Force – Joe Myers
  - a. Fluid process throughout May through September 2022. However, the bill presented to Harless for Legislative directives is “toothless” in it does not have the ability to tax nor does it have the ability to add taxation at a later date. As the bill is currently written, to raise funds for projects, it would require going back to the Legislature.
  - b. This will be a pseudo government agency with appointed directors. Directors will be unpaid volunteers as the district has no funding source.
  - c. The directors will have an ability to reach out to Legislature for watershed advocacy. That advocacy will resemble groups like the CCFCC.
  - d. There have not been any public meetings and there has been a resistance to holding public meetings on the formation of the district. However, once approved by the Legislature, the task force/Mr. Wilkerson will decide on public meeting(s).
  - e. Request by Jim Robertson to remove draft legislation from all minutes –
    - i. Board voted unanimously to remove draft legislation from the minutes.
  - f. Dick Smith asked if Joe, Jim, and Mark are participants in the task force as individuals or as representatives of the CCFCC – In general, participation is as individuals and not representatives of CCFCC. Participants are not giving the task force approval for anything prior to board review and approval; however, participation is via the Resolution passed by the CCFCC to participate on the Cypress Creek Flooding Task Force.
- b) Houston Stronger – Bill St. Clair
  - a. Legislative Meet and Greet hosted by Houston Stronger on Feb 24, 2023, in Austin. Interested CCFCC board members/participants can attend if interested.
  - b. Issue: Rodney Ellis (see attachment 1) – Question: what was the outcome of recent commissioner’s court meeting regarding Ellis’s proposal to shift funds away from projects located outside the beltway/loop to inside? Unknown, but likely passed.

- i. Related, Jim Robertson, independent of the CCFCC and not as a representative of the organization, forwarded Bob Rehak's email to Commissioner Briones (Pct 4) to make her aware of the various factors to be considered before approval of Ellis's plan as her district does include flood remediation projects.
  - c. Technical Meeting of the Advisory Committee met with Houston Stronger to discuss 4 projects:
    - i. Tunnel for Buffalo Bayou
    - ii. Excavation of Reservoirs
    - iii. Detention in upper Addicks watershed
    - iv. Detention in upper Cypress Creek

Larry Dunbar and engineering firm have not quantified the type and size of detention needed in the upper Cypress Creek watershed. They do have the numbers and plan on adding them to the plan.

The Corps of Engineers is unlikely to re-study excavation of the reservoirs or do additional work in the upper watersheds.

- d. San Jacinto Regional Flood Planning Group
            - i. Dave Baldwin – analysis of the San Jacinto Report (3000 pages) shows that Cypress Creek is not mentioned in the category of flood management programs; however, it is mentioned for six (6) studies – two (2) in Big Cypress Creek watershed and four (4) in Little Cypress Creek watershed. Nothing conclusive as to what to be done and no funding allocated. Any funding available to be spent is for south of Cypress Creek mostly in areas where previous spending has been done. There is \$30k recommended for a cost/benefit analysis on the CC Implementation Program Study so that it will become eligible for federal funding. Jim Robertson reported Cory Stull, of region 6, stated that before any funding can be allocated to the Cypress Creek watershed a cost benefit analysis (CBA) had to be performed; however, he felt that it would make the list. He has reached out to Cory as a follow up and plans to follow up again.
            - ii. Karen Hastings provided tunnel feedback on our lengthy submittal on the B&V Phase 2 Tunnel report – there is a link on the HCFCD website with the updated report that includes hyperlinks to make the report more searchable as we suggested in our comments. Dave Baldwin will send link to board.
            - iii. Jim Robertson also attended Houston Galveston Area Council (HGAC) meeting for an update to the Area 6 San Jacinto plan. The plan was submitted on January 10, 2023 and is on the website. Final plan to

be submitted in July 2023. The January 10, 2023, plan will be updated and amended.

- iv. Dick Smith recommended that the CCFCC send written recommendations regarding the Cypress Creek Implementation Project. CCFCC will follow up on cost/benefit analysis with flood control. Joe is trying to set up a meeting with Dr. Tina Peterson and Commissioner Briones. Meeting request has been submitted. Dr. Peterson has indicated a willingness to meet with the CCFCC quarterly or some agreeable time frame.

#### Agenda Item 6 – New Business

- a) Annual Meeting is scheduled for April 19 at the Coles Crossing Community Center located at 13050 Barker Cypress Rd., Cypress, TX 77429. Joe Myers has requested a staff person from Harris County Flood Control to serve as guest speaker. Topic: Updates on flood control projects.
- b) Ballot for election of Directors to a 3-year term. Officers are then elected by the board of directors for 1-year terms. Ballot, proxy, and letter to members need to be completed by the 1<sup>st</sup> of February. Drafts of the ballot/proxy and letter have been completed by Mark Adam. There are 5 positions available which includes, 2 vacant positions and 3 directors up for election.
- c) Stop the Flooding has a survey on their website. 5 questions seeking the opinions of residents on flood control topics, including the proposed drainage district and one's willingness to pay a tax like what is paid to the Emergency Services Districts.
- d) Commissioner Rodney Ellis – Mr. Rehak did a synopsis on the newly proposed rules for flood control project selection. He wants to redirect all monies from the bond issuance to projects within the loop.
  - a. Question: How do constituents and the CCFCC interact with current commissioner's court to address our concerns? There is a need to make them aware that the Cypress Creek watershed does have advocacy. It is noted that Flood Control must follow the direction of Commissioner's Court. There are 450,000 residents living along the Cypress Creek Watershed which also includes a very large land mass percentage of Harris County.
- e) ACTION ITEM: Dick Smith will follow up with Mr. Rehak on the results of the survey.
- f) ACTION ITEM: Lisa Foley will look at Commissioner's Court and see if she can find written minutes from the most recent meeting. It is noted that there is video available online.
- g) Stakeholders Meeting – held in Galveston a few months ago and was attended by Joe and Bill. The USACE stakeholders meetings are February 15-16, 2023. Interested parties can sign up and attend. Always a positive to have representation at these meetings.
- h) Dick Smith stated that much is a work in progress with Flood Control, including detention basins. Dick Smith and Pete Smullens have attended a series of 5 sessions; however, projects were previously stopped due to a lack of funds. The

actual basin study was completed but archived. The study was pulled from the archives and updated with the passage of the bonds. Jim Robertson has met with Jonathan St. Romain to discuss the Cypress Creek Implementation Plan progress.

- i) Jim Robertson and Joe Myers to meet with Commissioner Briones – Jim to discuss the Greenway Project and Joe to discuss Cypress Creek issues. The CCFCC agrees that Commissioner Briones needs to be aware of issues along Cypress Creek as her precinct includes many of the problem areas.

#### Agenda Item 7 – Committee Reports

- a) Nominations committee discussion to be held with Jack Sakolosky based on his availability. Mark Adam has contacted several people (an attorney for Muds and Water Districts) to see if there is anyone interested in serving on the CCFCC board. Waiting on feedback.
- b) Technical Management – Pete Smullens and Dick Smith –
  - a. Status of work – Larry Dunbar has been ill; however, a great deal of research has been done and the collection of previous projects and studies which have bearing on his plan gathered.
    - i. Request for an updated schedule to complete work and cost estimate to complete has been made.
    - ii. ACTION ITEM: Pete Smullens and Dick Smith to meet with Mr. Dunbar.
    - iii. There are 2 work authorizations.
      - 1. Jones and Carter Implementation Plan – review and comments
      - 2. H&H Analysis – review
        - a) The first analysis showed plans based on future conditions which indicated the watershed being fully developed. Under that consideration the 22 proposed basins would reduce peak elevation ½ foot – plans need to be revisited.
- c) Tunnel Advocacy - Tunnel Authorization – what is the projected peak elevation if tunnel plan activated? Dick Smith to revisit topic with Mr. Dunbar.
  - a. Document package to be completed. Committee meetings with advocacy group ABHR and Young and Brooks.
- d) Membership – see a above.
- e) Greenway – Jim Robertson
  - a. Submitted request to Commissioner Briones to meet regarding the Greenway Project from Hwy 99 to the West. Informational meeting only.
  - b. On January 10, 2023, Jim Robertson gave Guy Hagstette a tour of the Greenway. Mr. Hagstette is instrumental in many parks and civic projects and is Sr. VP with the Kinder Foundation. Good meeting. Mr. Hagstette is interested in the Greenway Project.

- c. Letter of support was to be sent to the Texas Parks and Wildlife Department (TPWD) to support a grant application for the Faulkey Gully project and connection of the trail system.

f) Communications – nothing to report.

Agenda Item 8 –

- a) Next meeting date. Due to conflicts with the normal date of February 15, 2023, the date has been changed to February 22, 2023, at 6:30 pm. The meeting will once again be held via conference call. Meeting will focus primarily on the annual meeting to be held in April. There is also consideration to change the March meeting date to better align with the annual meeting.

Other: - Dave Baldwin noted that the NWRWA has lowered the water pumpage rate by \$0.50. There is a special meeting scheduled for January 23, 2023. The agenda is posted on their website.

Jim Robertson noted that at the last commissioner's court meeting there was a motion to accept \$10M for the TC Jester East detention pond and \$8M for the Westador detention pong. These funds were federal funds secured by U.S. Representative Crenshaw.

Agenda Item 9 – Adjourn

- a) Motion to adjourn made by Dick Smith and 2<sup>nd</sup> by Pete Smullens. Meeting adjourned at 8:05pm.