



Minutes of the Gulf Coast Rail District Board Meeting – January 12, 2021

A meeting of the Gulf Coast Rail District Board of Directors was held on Tuesday, January 12, 2021 via the BlueJeans web-based platform due to the disruption of normal business during the COVID-19 pandemic. In attendance at the meeting were Directors Ronald A. Beeson, Trey Duhon, Pablo Escamilla, Abigail M. Gonzalez, Carol Abel Lewis, Bruce Mann, Richard L. Muller, Jr., Allen Owen, Jeff E. Ross, and Dennis Winkler. Absent were Directors Michael Dyll and Jim Robinson. Written notices of the meeting including the date, hour, place and agenda for the meeting were posted with Harris County, with the Secretary of State, and at the Gulf Coast Rail District office located at Houston TranStar in accordance with the Texas Open Meetings Act.

Chairperson Lewis (2:00 p.m.): Thank you, Lisa. Alright. So, now if we go to our next item on the agenda, we're wanting to know if anyone who is representing the public sector or any other entity would like to have words of comment right now? We've opened the floor to you for that. Alright, thank you. Back to certifying the quorum. Director Winkler, please. I see your microphone is off and I think we probably have... [Crosstalk 00:00:51]

Chairperson Lewis: Probably. But I think we kind of did that, I actually said it and didn't ask him, but I thought I maybe heard a voice at that point. So, I believe that may have happened. If we could confirm the meeting posting with the Open Meetings Act?

Ms. Katherine Parker: Yes, everything was posted in all of our regular places.

Chairperson Lewis: Okay, perfect.

Chairperson Lewis: Is there discussion and/or action on the minutes for our December 8th meeting, please? Go ahead. Any conversation about the minutes?

Director Escamilla: I move approval.

Director Mann: I'll second, Bruce Mann.

Chairperson Lewis: Okay, Alright. So, Escamilla, approval. Mann, second. Any other discussion? All in favor?

Board: Aye.

Chairperson Lewis: Okay, any opposed? Alright, thank you.

Chairperson Lewis: Mr. Escamilla, if you'd go on to the report from the treasurer, please?

Director Escamilla: Item number 5 is Report from the Treasurer and I'll ask Mr. Cory Burton to take us through the report.

Mr. Cory Burton: Good afternoon, everybody. Cory Burton with Municipal Accounts. You should each have a copy of our report there. If you turn past the cover page, you see your operating fund checking account. It's earned a little bit of interest and then expenses totaled \$2,073. Nothing out of the ordinary there. That left you with just over \$47,000 left in your checking account. Turning the page, that's the detail of your investments. We did purchase one new CD. Your operating fund there was Spirit of Texas Bank. Otherwise, pretty quiet on that front. Next is your pledged securities and you have pledged securities with BBVA Compass. You're all set there. That takes us to your P&L starting on page 5, goes to page 6, captures the month of December as well as your fiscal year-end. So, you are December 31st year-end, so the right columns there capture that information. As been discussed in previous board meetings, revenues came in a little bit lighter than what we had originally budgeted because we didn't receive payments from Harris, Galveston, or Montgomery counties, and then as well as the Port of Houston Authority, so I just wanted to make mention of that. Otherwise, everything else on your budget was pretty typical there. And then moving forward to your Grant Status Report, there's no changes from last month and no activity on that. And that concludes my report.

Chairperson Lewis: Okay, alright. Thank you, Mr. Burton. Mr. Escamilla, anything additional there?

Director Escamilla: No, this is just the report, if I understand right. Yes, number 5 is just the report; I have nothing additional. I can move on to number 6.

Chairperson Lewis: Okay, please.

Director Escamilla: Item 6 is the discussion and possible action on Resolution 21-01, Ratifying Payments. There are two payments that need to be ratified and I move approval of Resolution number 21-01 ratifying the payments.

Director Mann: I'll second that.

Chairperson Lewis: That was Mr. Mann seconding. Any discussion? All in favor?

Board: Aye.

Chairperson Lewis: Any opposition? Alright, thank you, that takes care of that item. Thank you very much.

Chairperson Lewis: I already asked if there were public comments and I don't think there were any. If anyone's had a change of mind, we would open for that at this moment. No one has signed in that regard. Alright, moving on to the next item that we have on our agenda. Item 8, discussion and possible action, Resolution 21-02, nominating and approving offices for GCRD Board of Directors. Some of you may feel as if we sort of recently had this conversation, and we did, because we were appointing folks to fill slots where we had vacancies. So, at the beginning of the year, we as a matter of course and as our custom, ratify the offices for the year commensurate with the beginning of the calendar year. So, what you will note here is Vice Chairman for GCRD, Director Ronald Beeson; Secretary, Director Dennis Winkler; Treasurer, Director Pablo Escamilla; Vice Secretary, Director Trey Duhon; and Vice Treasurer, Director Allen Owen.

Chairperson Lewis: Is there discussion on that, comment, or what is your pleasure to that slate?

Director Escamilla: Madam Chair, this is Director Escamilla, I move approval.

Chairperson Lewis: Alright, thank you.

Director Beeson: This is Director Beeson, I would second.

Chairperson Lewis: Alright, thank you, motion and second. All in favor?

Board: Aye.

Chairperson Lewis: Any opposed? Alright, great, thank you.

Chairperson Lewis: That takes us to item 9, Status Report on our Legislative Priorities for the 87th Session of our Texas Legislature. So, you all will recall we have two items that we were talking about advancing. The legislature opened today. I would like to ask Mr. Ross, if he's got any updates for us, or Mayor Owen, about activities since December 8th in this regard?

Director Owen: Madam Chairman, all I've got to report is that I did visit this past week or so with Tom Jasien with METRO. I told him about our legislative item asking for METRO support, which he fully agrees with. This is something that he knows we discussed almost three years ago, using this right-of-way, so they were very familiar with what we're trying to do. And I asked that he would, at least, get METRO to write a letter of support to our legislators, especially to Senator Huffman, who we're working with, to show that METRO supports our agenda item.

Chairperson Lewis: That's great. It will be great to have that. If there's anything additional, Mr. Ross, and then I'll kind of share a couple of thoughts.

Director Ross: Sorry I disappeared. I got disconnected and had to reboot the whole system. But after today's pomp and circumstance in Austin, we need to probably touch base with Representative Murphy's office and see if CenterPoint has had direct conversation with them and what the status is or what they might need from us to introduce these two bills. And then Carol, I think you had a contact in Senator Huffman's office, and we ought to probably touch base with them and make sure that things aren't held up for some reason.

Chairperson Lewis: Exactly. Just by way of update, I did reach out to Senator Huffman's office, talked to her chief of staff, provided the information, and her next step was to try to get us some kind of entre into Senator Huffman. She answered that she was working on that. I figured I'd give them today, because I understood that they were going to open today and then pause before kind of really taking things up. So, I figured I'd let them get past opening day and then reach out again tomorrow to see if there had been any news in that regard. So, I think we are at least progressing. So, we haven't hit any roadblocks yet so that's a good thing.

I think the other thing I wanted to speak with folks about is I understand that there are two ways we can do this. We can send what we have, which are the summaries, and just allow the committees up there in Austin to actually draft the bill. Or we could ourselves take a stab at getting the first draft of the bills crafted, which would give them less to do. So, I guess I would open for conversation and thoughts from anyone right now about that.

Director Ross: This is Jeff Ross. I'm sorry, Carol, you broke up and I couldn't hear your question.

Chairperson Lewis: Yes, the two. So, what we've drafted is a summary. Can you hear me? Am I breaking now?

Director Ross: I can hear you.

Chairperson Lewis: What we've drafted is a summary; it's not actually the bills that will go forward. Just in talking to folks around, I understand that there are two avenues of proceeding. We can leave them as a summary and just allow them to be drafted by folks in Austin. Or secondarily, we could get them drafted as a bill ourselves, which then would give them less to do. So, I was just opening the floor for thoughts about that... about those two options.

Director Ross: This is Jeff Ross, I'd ask Richard Muller about that, or anybody else who's got more exposure to the legislative process than I have of late.

Chairperson Lewis: So, I will tell you all that I did ask him... I had talked to maybe a couple folks about whether we, GCRD, want to put some money behind a person to help us follow these through. And I did ask him about that, he thought that was probably a good idea to keep us just right on top of and always with front of mind where our items are. So, I think we are within Katherine's signatory authority about that. I'm just kind of bringing that up as a thought. So, I just got a note that maybe Director Muller is here. If he is, we would certainly like to hear from him in terms of anything he has about us going forward.

Director Muller: Yes, I'm here. I'm sorry I am late.

Chairperson Lewis: Well, we're delighted to have you. I don't know if you've been on long enough to hear the discussion that we've been having. But just the long and the short of it is that we've reached out to Representative Murphy about our two summaries. We've also reached out to Senator Joan Huffman about the two of them sponsoring. So, we're waiting to hear back from Senator Huffman. It is in to her chief of staff, who is positively taking it forward at this point.

So, the two questions that we were kind of wanting the directors to mull over and give some thought and maybe response to is the first one was whether we should, ourselves, get our summaries drafted into a bill or should we wait and let them do that in Austin. So, sort of the two things. Do we fast forward it by trying to actually get a version of a bill drafted ourselves to go in. That was sort of question number one. Question number two was a conversation I had had with you earlier about us paying someone to really sort of follow and shepherd this through for us in Austin. So, just wanting feedback from you on that range of considerations. Your mic is off, your mic is off.

Director Muller: Let me give you my thoughts on the second question first because I think it drives the answer to the first question. This legislative session's going to be weird, we know that. And they've got on a lot on their plate with redistricting and budget shortfalls and all that kind of stuff. In a normal year, I would say that you dramatically increase your chances of success for getting your bill passed if you have a professional lobbyist assisting you in that effort. I think that is even more true this year because of just kind of all the uncertainty surrounding how things will proceed up in Austin. So, if you have the budget and you believe the bills are important to get, which I think everybody on the call agrees, then I think you're much more likely to get it passed if you have a professional lobbyist. And then to the first question, that means if you have a professional lobbyist onboard, they can help you draft the bill, or they can certainly get it through

leg council to get it drafted in a timely fashion so that it can be filed timely and all that kind of stuff.

Chairperson Lewis: Okay, alright. Most appreciate that response. Is there anyone else who would like to have a thought?

Director Ross: This is Jeff Ross. Rich, do you have any thoughts about a lobbyist that we ought to be engaging?

Director Muller: I don't really. There's lots of good ones out there. I think it depends on who's got the best relationships with the bill sponsors and the folks who are going to be on the committee that the bill will get assigned to and I don't know who that would be. I'm happy to give you some names of folks that I know are good lobbyists, but I don't know that they'd necessarily be good for this particular piece of legislation.

Director Owen: Hey, Rich, is Kyle lobbying now?

Director Muller: Who's that?

Director Owen: Is Kyle Janek?

Director Muller: Oh, I don't know.

Director Owen: I've been emailing him back and forth. Obviously if he is, he would be a good one to use. He obviously has the connections. I can ask him. I mean, I got an email from him this morning.

Director Muller: Yes, and Mayor, you may know better than most who the best lobbyist for this type of legislation might be. You're more familiar with those folks than I am.

Director Owen: Well, I think if Kyle is not, he probably would maybe make some suggestion. He did chair Transportation at one time. Yes. He helped us with METRO and doing some other things. So, I'd be happy to shoot something to him today and ask him if he would be interested or if he knows somebody that would be interested and maybe get an idea from him.

Chairperson Lewis: That would be great. The other thing we're going to want to keep our eye on is just the budget and about how much money we have too. So, just making certain we watch our parameters in that regard.

Director Owen: This would be a one-shot deal. This is not taking on a full-time lobbyist to help us through. This would be a one-shot deal; I think that's what we're probably looking at is give me a feel what you'd charge to do this one issue.

Chairperson Lewis: Perfect.

Director Muller: And we concluded in our... I think we had a discussion last time that this bill would be clear enough that it would only apply to us. And so, you wouldn't have to deal with the other regions and the potential pitfalls of giving something broad to other transportation providers, correct?

Chairperson Lewis: Absolutely, 100% correct. So, whether that's in our population or describing sort of our entity, just whatever advisement we would get in that regard, we would welcome it and make sure we embrace it and have that included.

Director Ross: Rich, what do you think Rick Miller's going to do?

Director Muller: I don't know.

Director Ross: I mean, Rick is the one who actually kind of took that bill through in 2017. He's very familiar with what they did with Hike and Bike. He's another one that we might think about.

Director Muller: Yes, and again, I don't know how much budget we've got for this, but when you've got an issue that shouldn't be a D or R issue, in every way, everything ends up being a D and R issue just because of how they trade bills and that kind of stuff. I mean, if you have a budget to hire somebody as a primary lobbyist and then hire somebody as a secondary lobbyist, and one's got good relationships with the Ds and one's good relationships with the Rs, that's usually your best bet. You'll see a lot of the larger jurisdictions will hire two, three, four, five lobbyists, and I don't think we need that many, but you might want to consider somebody who either has good relationships across the aisle to begin with or maybe you have two people—one dealing with each side of it. And I say that only because a lot of times, bills, even the most well-intentioned bills, get caught up as collateral damage. It's got nothing to do with our bill, it's got nothing to do with this or that, but the Rs are mad at the Ds and Ds are mad at the Rs. We don't want our bill to be a hostage in that scenario.

Chairperson Lewis: For sure. So, one of the other thoughts I had had is to reach out as broadly as we can and we'll want the entire Board of Directors engaged in this, to reach out to folks you know in the legislature so that we have friendly ears when they hear about this. Because I think in large measure, to a degree, it has far more in terms of benefit to counties peripheral to Harris than it does to Harris, because Harris has METRO. METRO is going to take care of Harris in terms of transit, of the things that we're looking at, but we're really the "it" for the counties surrounding Harris. By the same token, we need the folks in Harris County nodding their heads saying, "Yes, we think this is good for the region as well." So, we will want to have that on our list.

One reason I guess my attention has been focused mostly on getting them filed, I just kind of... And again, those of you who are closer to this than I am said we really need to get it filed soon, like by next week, to be honest, by the middle of January. And then the things I've heard is that those items that Director Muller talked about being priority are going to hit the ground first. And that these transportation things really aren't going to come up until about March. So, that does give us some time to sort of work our background networks in terms of, again, not having somebody from Harris County saying that they don't like it largely because they didn't know anything about it, not because it's bad. So, we know that in actuality, it is important for us to keep all of the stakeholders informed about what we're doing and our direction in that regard.

Director Muller: If I could, two points on that. I think March 12th is the bill filing deadline, if I'm not mistaken, but you don't want to wait until March 12th to file. So, I don't think you can wait until the next regular board meeting to get somebody onboard if that's the direction we're going to go. I think we might need to have a special meeting or what have you, if we can identify

a couple lobbyists and get them rolling. Do we have this in the budget? I thought we had approved this in the budget the last time.

Chairperson Lewis: We didn't actually... We don't really have a line for it, I don't think. I'm going to ask Katherine. I think there's some categories where it would fit.

Director Muller: I know we had discussed it when we did our budget workshop, but I can't remember if we had something in it.

Chairperson Lewis: Now, what I don't remember is how much it is. So, Katherine?

Ms. Katherine Parker: Correct, we don't have a line item for lobbying but we do have project development. I think currently that we have \$100,000 in it. So, that's an opportunity for us to use that, but no, we don't have a line item for a lobbyist.

Director Muller: You should be able to get a lobbyist to take it for less than that.

Ms. Katherine Parker: Hopefully. Yes, I would say.

Chairperson Lewis: Look, I'm going to tell you all and it'll be in the minutes. I'm actually thinking \$25,000. If we're bucking around 100, the penny pincher in me is going to start being uncomfortable.

Director Muller: Yes. Again, maybe Mayor Owen can help us out. I just don't know. I've got no idea what a one-off bill like this would require. Typically, when we deal with lobbyists or we're doing one-off bills, they're somewhere between 30 and 60, so you might just have that in the back of your mind.

Chairperson Lewis: Okay.

Director Owen: I'll find out, as I've got some people. I've had lobbyists that worked for us when I was a mayor, so I can check with them too.

Chairperson Lewis: Alright. Well, I don't want to wrap this up, but I don't want it to just keep kind of reiterating if you all are ready to kind of round it out. Are there any other thoughts on that?

Director Muller: Can I suggest a course of action that has our Legislative Committee go through and pick somebody and then as soon as that person is identified and you've got a fee, to have a special meeting of the board to get it approved?

Chairperson Lewis: I like that suggestion. So, yes, we will absolutely take that. So, Legislative Committee chairs. I think it's Pablo and Director Robinson.

Director Ross: But Katherine has the ability to authorize up to a limit anyway, does she not?

Chairperson Lewis: Yes, she does. She does, but it's not over 25 though and I wouldn't be comfortable doing that. If we're talking over that, we would need to call a special meeting for that.

Director Ross: In the interim, Allen, would you have time to contact Murphy's office to see if they heard back from the fellow at CenterPoint and to see if they need anything from us?

Director Owen: Yes, I can do that.

Director Ross: Okay, wonderful, thank you.

Chairperson Lewis: Okay, so we ended up with some action items there. The Legislative Committee is having a meeting and then Mayor Owen is going to end up doing a couple of things—checking with Representative Murphy about CenterPoint and pulling in information that will help guide us in identifying a consultant, a person who will assist us in working with these two important bills that we have.

Director Owen: Yes, I will.

Chairperson Lewis: Because they are very important. I mean, honestly, these two things have a lot to do with setting our direction going forward. Okay. Is there anything else on item 9?

Director Beeson: Well, this is Director Beeson. I would be inclined to offer an approval limit up to, if that is of any benefit for Director Owen and Muller and Katherine or if it has to be the Legislative Committee even. As long as there's consensus moving forward and the amount is agreed to amongst the three, I would authorize moving forward with it. I'm fearful we would not be able to get a quorum together on short notice and I offer that as a solution.

Chairperson Lewis: So, we're going to have to work on that because I think... the offer is most appreciated, but I think we can't act on an item that we haven't posted. So, I don't think we have it within our purview to have a spontaneous item and then vote without it being on our posted agenda from last week. So, we're going to have to just work really hard. You're right about our getting a quorum. If we promise people that we won't be but five minutes and get all information to them in advance... It may be too that we can do a written vote on something like this. So, we've got a couple things we can check to ensure that we're following all of our guidelines and parameters in going forward. Alright. So, thanks to each and every one of you for the thoughts, the information, and suggestions for us to move forward. Item number 10, report from Ms. Parker.

Ms. Katherine Parker: Thank you. I'm starting with Happy New Year even though it's our first meeting for the year. But wanted to just give a few brief updates from this past, I guess, month. Lisa, next.

Alright. So, we have a few meetings on our agenda. On the 21st, we'll be meeting with Commissioner Adrian Garcia's office on the 21st of January to discuss the West Belt Project and how we can partner with them to work on our funding gap for that particular project. Also, there will be a future meeting with our new Transportation and Drainage Deputy Director Veronica Davis. She took over Jeff Weatherford's position, so it will be key for us to meet with her and discuss... just introductions but not only that, just working on getting the City's portion back into the CIP for the West Belt Project as well.

Also, the elected officials, we talked about that just recently concerning our legislative priorities, whether it be committee members meeting with them or Dr. Lewis and I to push for those

priorities. On that note, I will email the chairs for Legislative and Funding and try to, if we can get a short timeframe in to get those pieces together, then maybe we can have that, definitely before February's meeting. If we can do that, even if it means a check-off vote like Dr. Lewis said, one that is yes or no, in short form, that we can use as a record of the board meeting of the quorum.

The next one is the Rail Crossing Monitoring Pilot Project program with the City of Houston, which we talked about this maybe about two meetings ago, working with Jack Hanagriff to look at problem crossings throughout the City of Houston. They are currently working with some smart technology to monitor vehicle and train behavior at identified rail crossings. And this kind of falls up under our safety portion for our board. We'll meet with them on this Friday and we will also include HPD and HFD to talk about their emergency routing, enforcement, and compliance. There are a number of crossings. And in this particular pilot project, there'll be four that we're looking at that the cameras have identified. Whether it's trespassing or it may be gates and lights on the railroad side, but it could be a number of things that's going on at those crossings. So, this is an opportunity for us to provide feedback and also to get data once it's collected for our projects going forward, maybe at some of these crossings, or this concept that could be used in some other areas to help address issues at individual crossings. Of course, they'll continue to attack in TPC meetings. And lastly, I've been asked to work with the Freight Plan Working Group of the Rail TxDOT Project. And so those are just some of the things they've been working on for the past month. Next, Lisa? Lisa, you hear me? She must have dropped off.

Alright. Our brochure is done. I've talked with Gilbreath. These next two pages represent front and back cover. Thank you so much to Director Gonzalez, Director Beeson, Dr. Lewis for allowing me to harass and bother you all about changes and questions and just information in general. So, those should be to me within the next two weeks. I spoke with her just before this meeting about having those delivered. So, we will use those for our meetings coming up. If any of you all would like for me to send you, mail you copies for your reference or for any reason they have, please let me know and I'll be happy to do that. We're starting with just a small amount of 200 copies. If we need more, then we'll deal with that at that time. That is it for our brochure. I think that's the last I had on my list.

Director Ross: Katherine?

Ms. Katherine Parker: Yes, sir?

Director Ross: This is Jeff Ross. You show the P.E. after my name.

Ms. Katherine Parker: Yes.

Director Ross: I am now in inactive status, so if I use P.E., I have to put inactive in parentheses or just take P.E. off. It doesn't matter that I... I mean, it matters to me, but in terms of this role, it doesn't matter that I'm a registered engineer or not, so I would actually take the P.E. off.

Ms. Katherine Parker: Okay.

Director Ross: If you can, I mean. If you've put it... [Crosstalk 00:34:15]

Ms. Katherine Parker: I will send her a response now to see if she can make that. That's a small change. I doubt that she's started printing. But okay, thank you for that input. Thank you. That's all I have, Dr. Lewis.

Director Duhon: You're muted, Dr. Lewis.

Chairperson Lewis: Okay, thank you. Thank you, Katherine. And the point about the brochure that I was making is that we don't really see people using hardcopies as much, but the fact that we now have it, we can also have it on our webpage and can send it out as links to people, and really use it and leverage that information as we're getting our message out. Great, thank you. And then did anybody else have any other comments or questions for Ms. Parker? Okay. Alright.

On to item number 11, we don't have any additional announcements. I really appreciate everyone's time today. I trust everyone had a great holiday and now peddling hard into 2021. Our next meeting is scheduled for February 9th. I will ask that folks stay as flexible as you can should you hear from us about trying to get together for a special vote upcoming. That would have the same posting requirements though as our regular meeting, so we'd have to post a few days in advance before we would be able to hold that. So, again, just appreciate everyone's time and look forward to a great year. Trust that this will be a real second launch for GCRD into all the things that we want to do.

Chairperson Lewis: So, with that, I would entertain a motion to adjourn.

Director Mann: So moved.

Chairperson Lewis: Okay. Director Mann and second, I'm not sure who the second...

Director Duhon: Trey Duhon.

Chairperson Lewis: Oh, good. I was going to say. I was reading and I see Judge Duhon has joined us. That was with the chat mode I had got it. So, thank you. Thank you for joining us.

Director Duhon: Not a problem. Sorry I was late.

Chairperson Lewis: That's okay. Alright. We've got a motion and a second. All in favor?

Board: Aye.

Chairperson Lewis: Okay, great. I'll look forward to seeing you all fairly soon, at least virtually. Alright, thanks and have a good rest of your week everyone. (Adjourned at 2:39 p.m.)

ATTEST:

DocuSigned by:

Dennis Winkler

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Dennis Winkler, Secretary

Trey Duhon, Vice Secretary

Gulf Coast Rail District

Transcription services provided by Transcription Panda.

The disruption of normal business due to the COVID-19 prompted the use of electronic signatures.