

TEXAS HISTORICAL COMMISSION

MINUTES

Videoconference Meeting

February 3, 2021

9:00 a.m.

Note: For the full text of action items, please contact the Texas Historical Commission at P.O. Box 12276, Austin, TX 78711 or call 512-463-6100.

1. Call to Order and Introductions

1.1 Welcome

Chairman John Nau called the quarterly meeting of the Texas Historical Commission (THC) to order at 9 a.m. on February 3, 2021. He announced the meeting was posted with the *Texas Register* and was being held in conformance with the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. Pursuant to the Governor's March 13, 2020 proclamation of a state of disaster declaration due to the Coronavirus (COVID-19) and March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, he stated the meeting was held by videoconference as authorized under Texas Government Code section 551.127.

1.2 Pledge of Allegiance

Chairman Nau led the group in reciting the U.S. and the Texas pledges of allegiance.

1.3 Commissioner roll call

A roll call confirmed the following Commissioners present for the meeting:

Earl Broussard	Renee Dutia	Catherine McKnight
Jim Bruseth	Lilia Garcia	John Nau
Monica Burdette	David Gravelle	Pete Peterson
John Crain (departed at 12 p.m.)	Laurie Limbacher	Daisy White
Garrett Donnelly		

1.4 Establish quorum

Chairman Nau reported a quorum was present and declared the meeting open.

1.5 Recognize and/or excuse absences

Member absent: Commissioner Tom Perini

Commissioner David Gravelle moved, Commissioner Daisy White seconded, and the commission voted unanimously to excuse Commissioner Perini's absence.

2. Announcements

2.1 Staff introductions

THC Executive Director Mark Wolfe provided a staffing update and introduced recently hired agency staff from various divisions.

3. Friends of the THC

3.1 Report on the activities of the Friends of the THC

Chair of the Friends of the THC Brian Shivers provided a summary of the fundraising activities to date, which included a report on the commitments, sponsorships, cash, pledges, fundraising, support activities, and grants received for several divisions and programs across the agency. A brief overview of the support for the Real Places conference was also presented. Shivers reported on the goals and funding for the 2021 Preservation Scholars program, Friends 25th anniversary celebrations, new board members, and social media

intern. In closing, Shivers provided an updated financial report that included total assets and endowment funds.

4. Partner Reports

4.1 Texas Holocaust and Genocide Commission (THGC)

THGC Chair Lynn Aronoff provided an overview of the THGC activities for the past quarter, including Holocaust Remembrance Week activities and quarterly meeting deliberations. She reported that the THGC received the Sunset staff report with a recommendation that the agency be abolished. Aronoff explained that the Sunset Advisory Commission ultimately voted to adopt a modification to the report and named the THC as the agency with the responsibility to oversee the THGC. She explained that the THC would approve its actions, monitor its performance, and approve its rules, budget, and matching grant awards. She noted a House bill would be drafted and submitted during the 87th Legislative Session to formalize the Sunset Commission's recommendations.

4.2 Friends of the Governor's Mansion

Erika Herndon, administrator, Friends of the Governor's Mansion (FGM) provided an overview of the group's activities, including collection maintenance, use of collection management software, educational projects, and docent training via Zoom. The report on recent collection acquisitions included the Shivers silver tea and coffee service with engraved tray (circa 1955), and a Texian campaign ware teapot (circa 1850). In closing, Herndon reported on the fabric reproduction project, which will be funded using private donations. Vice-Chairman John Crain, and Director Wolfe commended Herndon for her outstanding work, service, and leadership with the FGM.

5. Public comment

The following provided public comment:

- Stephen Lucas—In support of retaining the landmark status of the Confederate Woman's Home (CWH), Austin
- Terry Ayers—In support of retaining the SAL designation of the CWH, Austin
- Tami Hurley—In support of retaining historical markers and the SAL designation of the CWH, Austin
- Martha Hartzog—Aired concerns regarding proposed regulations for removing SAL designations and historical markers; spoke in support of retaining the SAL designation for the CWH
- Valerie Bates—provided an overview of the recent activities of the Texas Tropical Trail and advocacy of the Heritage Trails program

6. Consent Items

6.1 Consider approval of October 28, 2020 meeting minutes

6.2 Consider certification of Historic Texas Cemetery Designations, including: Polly's; York Creek; Robinson Family; San Elizario Church; McDaniel Street; Byrd Owen-Payne; Richardson; Taylor Family; Smith Cemetery at School Creek; Jewish Cemetery of Hallettsville; Grayson; Prairie Grove; Goforth Graves; Howard; Jourdan-Giles; and Concord

6.3 Consider approval of text for Official Texas Historical Markers: including Lang Cemetery; Hangar 1015; Craton-Spruill Cemetery; Friedman-Hollowell House; El Rancho Granjeno Cemetery; Antioch Life Park Cemetery; Christ Church Episcopal; Robinson Family Cemetery; First 911 System in Texas; Fred Lewis; Penitas Common School; K.J.Z.T. Catholic Women's Union of Texas; Ten Mile Cemetery; and Saint John Baptist Church

6.4 Consider approval of State Antiquities Landmark site designations

A. La Jita Site (41UV21 and 41UV25), Uvalde County, owned by Girl Scouts of Southwest Texas

B. Shackelford Site(41SM494), Smith County, owned by The Archaeological Conservancy

6.5 Consider adoption of amendments to TAC, Title 13, Part 2

- A. Chapter 17, State Architectural Programs, related to Review of Work on County Courthouses, section 17.2, with changes to the text as published in the November 13, 2020 issue of the *Texas Register* (45 TexReg 8083-8086)
 - B. Chapter 26, Subchapter D, section 26.21, regarding Issuance and Restriction of Historic Buildings and Structures Permits with changes to the text as published in the November 13, 2020 issue of the *Texas Register* (45 TexReg 8088-8090)
 - C. Chapter 26, Practice and Procedure, section 26.28, regarding Removal of Designations for Privately or Publicly Owned Landmarks, with changes to the text as published in the November 13, 2020 issue of the *Texas Register* (45 TexReg 8090-8091)
- 6.6 Consider approval of contract amendments
- A. Broaddus Construction (808-19-191815)—Contract extension through September 15, 2022 for facility construction services at Levi Jordan Plantation State Historic Site
 - B. Dean Howell, Inc., for restoration and renovation services at the Carrington-Covert House
- 6.7 Consider ratification of action approved by the Executive Committee taken on December 10, 2020
- A. State Antiquities Landmark Historic Buildings and Structures permit application #1072 for Historic Long Barrack Masonry Cleaning and Roof Repairs, Alamo, Bexar County
 - B. Contract amendment (#808-19-00360) with Phoenix 1 Restoration and Construction, Ltd.—\$12,839.63 for construction services at the French Legation SHS (December 10, 2020)
- 6.8 Consider acceptance of donations—Pest control services from Ace Pest Control, valued at \$1,440 for calendar year 2021(Charles and Mary Ann Goodnight Ranch SHS)
- 6.9. Consider approval of proposed extensions on Antiquities Permits
- A. Permit #5905—a second two-year extension for principal investigator Josh Haefner
 - B. Permit #5833—a second two-year extension for principal investigator George Avery
 - C. Permit #7520—a second one-year extension for principal investigator Kevin Stone

Chairman Nau asked the commissioners if any consent items should be pulled from the consent agenda for consideration as a separate item. There being none, Commissioner Pete Peterson moved, Commissioner Crain seconded, and the commission voted unanimously to approve the consent items 6.1 through 6.9.

7. Antiquities Advisory Board (AAB)

7.1 Committee report

Commissioner Jim Bruseth reported on items considered at the advisory board meeting held on February 2, 2021, including proposed SAL removal, proposed amendments to the TAC, and updates on permitted projects and State Antiquities Landmarks. Archeology Division Director Brad Jones provided an overview of the Archeology permits issued in the first quarter of FY 2021 and on the development and implementation of an electronic permit process. Federal and State Review Program Coordinator Lydia Woods-Boone reported on Architectural permits issued, including a permit for various structures at the French Legation State Historic Site. Commissioner Bruseth reported that the AAB considered a request to remove the SAL designation on the Texas Confederate Women’s Home (School for the Blind), 3710 Cedar St., Austin, Travis County, voted unanimously to deny that request, and subsequently made that recommendation to the full commission. He explained that the commission would consider the SAL removal request and the AAB’s recommendation at the April 2021 quarterly meeting.

8. Archeology

8.1 Committee report

Commissioner Bruseth called on Jones, who provided an update on division activities, including regional archeology/marine activities, Curatorial Facilities Certification Program, and a recap of Texas Archeology Month. Jones also provided an update on *La Belle* and the 1554 shipwreck collections at the Corpus Christi Museum of Science and History, Bullock Texas State History Museum, and the La Salle Odyssey Museums. He concluded his report with an overview of upcoming activities and events.

8.2 Consider the recertification of the THC's Curatorial Facility for Artifact Research (CFAR), Travis County, under the Curatorial Facilities Certification Program (CFCP) for a 10-year period

Jones reported the CFAR applied for recertification as a curatorial facility under the agency's CFCP in August 2020 and a field review was conducted. He noted that staff made a recommendation to the Archeology Committee to approve the recertification of CFAR for another 10-year period. Commissioner Bruseth moved, Commissioner White seconded, and the commission voted unanimously to approve the recertification of the THC's CFAR, Travis County, under the CFCP.

9. Architecture

9.1 Committee report

Commissioner Broussard called on Texas Preservation Trust Fund (TPTF) Program Coordinator Lisa Harvell, who provided an update on the Architecture Division's activities including updates on staffing, federal and state architectural reviews, courthouse preservation projects, disaster assistance, the TPTF, and the historic preservation tax credit program.

9.2 Consider approval of the recapture of funds from and/or supplemental funding to previously awarded Texas Historic Courthouse Preservation Program projects

Harvell reported that Jefferson County received a \$50,000 grant to update its preservation master plan in Round X and has completed the master plan update. She explained that the county paid its architect and submitted its final reimbursement request, leaving a remaining grant balance of \$5,000 that needs to be recaptured. Commissioner Monica Burdette moved, Commissioner David Gravelle seconded, and the commission voted unanimously to approve the recapture of funds from Jefferson County in the amount of \$5,000.

9.3 Consider approval of Texas Historic Courthouse Preservation Program Round XI grant awards

Harvell reported that the Commission awarded three full restoration grants, four planning grants, and two emergency grants totaling \$20,038,121 at the June 16-17, 2020 quarterly meeting, which left a grant funds balance of \$3,113,083, not including a recapture proposed at the February 2021 meeting. In order to allocate most of the remaining balance, she explained that a full restoration grant of \$3 million was offered to the next-highest-scoring Round XI grant applicants that were shovel ready with approved 95 percent architectural plans and specifications. Harvell reported that Hunt, Van Zandt, and Polk counties were offered grants, but Hunt and Van Zandt counties both rejected the offer. Polk County was then offered the grant and its commissioners' court voted unanimously to accept the grant offer. She noted that, in its Round XI Grant application, Polk County requested \$4,744,746 toward a full restoration project of \$10,103,625. Polk County subsequently voted on January 12, 2021 to accept the reduced grant if so awarded and to make up the \$1,744,746 difference to achieve a full restoration with the grant amount of \$3,000,000. Commissioner Laurie Limbacher recused herself from the vote. Commissioner Bruseth moved, Commissioner Peterson seconded, and the commission voted by majority to approve Round XI Texas Historic Courthouse Preservation Program grant award for full restoration funding to Polk County in the amount of \$3,000,000 to achieve a full restoration of the Polk County Courthouse with an estimated total project cost of \$10,103,625.

9.4 Consider approval of filing authorization of proposed amendments to sections 13.3-13.6 of the Texas Administrative Code, Title 13, Part 2, Chapter 13 related to the Texas Franchise Tax Credit for Certified Rehabilitation of Certified Structures for first publication and public comment in the Texas Register

Harvell explained that the amendment referred to sections of the tax credit program rules requiring application in hard copy. She noted the agency was working toward the implementation of an electronic application submission process, in alignment with the future federal submission process. Commissioner Limbacher moved, Commissioner Bruseth seconded, and the commission voted unanimously to approve of the filing authorization of proposed amendments to sections 13.3-13.6 of the Texas Administrative Code,

Title 13, Part 2, Chapter 13 related to the Texas Franchise Tax Credit for Certified Rehabilitation of Certified Structures for first publication and public comment in the *Texas Register*.

10. Communications

10.1 Committee report

Commissioner Gravelle reported on discussions held at the committee meeting, including the agency's outreach to the Hispanic community; publications database and engagement; and the development of a dashboard that will present the main statistics of the agency's media channels. Communications Division Director Chris Florance reported on division activities, including printed travel guides, public engagement, email database, digital media, and support for the historic sites. In closing, he noted upcoming events included the French Legation State Historic Site grand reopening and the website redesign.

11. Community Heritage Development (CHD)

11.1 Committee report

Commissioner Peterson called on CHD Division Director Brad Patterson, who provided an update on the Real Places 2021 conference (which was concurrently ongoing during the THC quarterly meeting), Texas Main Street Program, heritage tourism activities including the Texas Heritage Trails program, and Certified Local Government Program activities.

11.2 Consider approval of the application ranking and funding recommendations for the FY 2021 Certified Local Government Grants and reallocation of available FY 2019 grant funds

Patterson explained that the THC annually assists local historic preservation programs of Certified Local Governments (CLGs) through the administration of subgrants funded by the Historic Preservation Fund (HPF) allocation of the National Park Service to the agency. He reported that the agency received \$154,674 to allocate in FY 2020 as subgrants and a similar appropriation was anticipated for FY 2021. He noted that one additional call for applications was announced in addition to the regular CLG grant round: hosting of an online C.A.M.P. Training from National Alliance of Preservation Commissions (NAPC) to utilize unexpended FY 2019 grant funds. Discussion followed regarding the suggested motion and the language was refined and separated into two motions.

First motion:

Commissioner Peterson moved, Commissioner Garrett Donnelly seconded, and the commission voted unanimously to accept the reallocation of FY 2019 grant funds with the ranking presented, funding recommendations, and waiving the match requirement for the online training. Funds will be committed in the order of Commission staff rankings as federal funds become available.

Second motion:

Commissioner Peterson moved, Commissioner Burdette seconded, and the commission voted unanimously to accept the ranking as presented and funding recommendations for FY 2021 CLG grants based on availability of federal funds, with funds to be committed in the order of Commission staff rankings as federal funds become available. Individual recommended funding amounts may be adjusted as necessary to ensure efficient use of the available funds.

11.3 Consider approval of a waiver for Texas Main Street Program (TMSP) training fees during the pandemic

Patterson reported that participation in the Texas Main Street Program is voluntary, and communities apply to the Commission to become an official Texas Main Street city. He noted that the pandemic had disrupted the program's traditional training schedule and opportunities during 2020, and would likely continue through part of 2021. Patterson stated that the TMSP staff had been working remotely from their respective homes since March 2020 and had continued to actively support the local programs, including providing trainings, consultations, and services via email, telephone, and video conferencing. He further explained that the typical,

in-person slate of multi-day trainings provided to new managers twice annually had not been provided in 2020, nor is it anticipated for the first half of 2021. While new managers have been provided orientations both collectively and individually, as well as given personalized support, he noted that the staff did not consider that to be an equal substitution. Additionally, the 2020 hosting of the national Main Street Now conference was to supplement or replace some of the training opportunities but was ultimately cancelled due to the pandemic, and staff was recommending waiving the TMSP fees for the duration of the pandemic. Commissioner Peterson moved, Commissioner Gravelle seconded, and the commission voted unanimously to waive Main Street training fees for the duration of the current pandemic.

12. Finance and Government Relations

12.1 Committee report

Commissioner Crain reported that the committee received financial reports and an overview of the staff services activities for the past quarter, including a review of the agency financial dashboard and legislative report. He called on Deputy Executive Director Alvin Miller, who presented the background on action items placed on the consent agenda, including: an extension to contract 808-19-191815 with Broaddus Construction; increase in contract amount by \$17,400 for contract 808-20-201301 with Dean Howell, Inc; and acceptance of pest control services valued at \$1,440. Miller stated there were no budget anomalies to report, reviewed the courthouse grant balance, and clarified aspects of the financial dashboard. Government Specialist Vaughn Aldredge reported the Senate Finance committee meeting was scheduled to meet and appointments to the House Appropriations committee were expected soon.

13. Historic Sites

13.1 Committee report

Commissioner Crain reported the committee received updates on the San Jacinto Battleground and Monument, retail development, and historic sites facilities. He called on Deputy Executive Director of Historic Sites Joseph Bell, who reported on awards received by THC staff and the Fort McKavett State Historic Site (SHS) from the Texas Living History Association. He noted that the National Museum of the Pacific War had earned the prestigious designation as a Smithsonian Affiliate and the opening of the French Legation was very close. Other updates included: a tour of the historic sites collections storage facility by the General Land Office and the Alamo Trust; report on the Levi Jordan advisory work group; development work at Washington-on-the-Brazos and the Star of the Republic Museum; facilities report at San Jacinto; a grant award from the Institution of Museums and Library Services; grant applications submitted for multiple sites; and a report on damage to a wall at Casa Navarro as a result of demolition to an adjacent county jail in San Antonio.

13.2 Consider staff recommendation regarding the Phase I Evaluation of the Hoch House

Bell reported that the Hochheim Historical Foundation requested that the THC consider receiving the Hoch House into its historic sites program. He explained that a staff committee conducted a Phase I assessment and evaluation of the property in November 2020. Bell stated the assessment determined that, while the Hoch House was architecturally important and had a high degree of historical significance to the local community in Hochheim and DeWitt County, it duplicated stories at other THC state historic sites and resources were not available to provide necessary staff and visitor improvements. The report recommended that a Phase II study should not be authorized at this time. Chairman Nau moved, Commissioner Bruseth seconded, and the commission voted unanimously to accept the Phase I recommendation that the Hoch House Phase II study should not be authorized at this time.

13.3 Consider approval of the THC Collections Management Plan revisions

Bell reported that the Collections Management Plan (CMP) was last updated in March 2020 in response to legislative and administrative rule changes. He explained that the division's curatorial staff had reviewed and enhanced the existing plan and the proposed changes included: process changes to accession and deaccession activity; defining statutory and administrative authority for activities outlined in the CMP; clarification of

collection categories; and the incorporation of revised language resulting from an amendment to Rule 16.13. Commissioner Gravelle moved, Commissioner Bruseth seconded, and the commission voted unanimously to approve the revised THC Collections Management Policy.

13.4 Consider approval of donor recognition for the French Legation State Historic Site

Bell reported that the THC approved design guidelines for state historic sites donor recognition in 2017, which included guidelines for the creation of a “donor wall” for donors over \$10,000. It was architecturally and aesthetically appropriate to the site and was designed to complement the site and meet preservation standards if the site was a historic property. He further explained that, as part of the restoration project at French Legation State Historic Site, the Friends of the THC had received grants from Visit Austin and the City of Austin Heritage Grants program. Bell stated that the THC would create a donor recognition element/plaque consistent with the approved design guidelines in order to recognize the support from these two entities, as well as other potential donors. Bell noted that the donor recognition design guidelines included provisions for levels of donation and the proposed design would be presented to the commission for approval before implementation. Commissioner Burdette moved, Chairman Nau seconded, and the commission voted unanimously to approve the creation of a donor recognition element consistent with design guidelines approved by the commission.

13.5 Consider approval of the designation of Palmito Ranch Battlefield and Old Socorro Mission as State Historic Sites

Bell explained that there were two historic properties owned by the THC that were rich in history and met the Historic Sites collection plan for historic sites. He further noted that each site represented an aspect of Texas history that fulfilled the historic themes as outlined in the collection plan. Bell provided a brief background and overview of the Old Socorro Mission and the Palmito Ranch Battlefield, noting that the Historic Site Division staff recommended the designation of each as a state historic site. Commissioner Crain moved, Commissioner Burdette seconded, and the commission voted unanimously to approve the designation of the Old Socorro Mission and Palmito Ranch Battlefield as state historic sites.

14. History Programs

14.1 Committee report

Commissioner White called on History Programs Division Director Charles Sadnick, who provided an update on division activities, including: County Historical Commission reporting and appointments; cemetery disaster training; and the development of the cyclical 10-year Texas Statewide Preservation Plan.

14.2 2020 Undertold Markers topics report and discussion

Sadnick stated that this was solely a reporting item and no action was required. He stated that a total of 67 applications were received from 36 counties and an interdisciplinary review committee of THC staff reviewed, discussed, and scored the applications. Sadnick reported the review committee recommended the following 15 topics.

Anderson Co.	The Pinery Settlement
Bastrop Co.	Leah Moncure, P.E. 2250
Cameron Co.	Solomon Ashheim Store and Residence (RTHL)
El Paso Co.	1949 Bowie Bears Championship
Galveston Co.	Japanese Settlers of Webster
Galveston Co.	Jessie McGuire Dent
Hidalgo Co.	John and Silvia Webber Ranch Cemetery (HTC)
Hood Co.	Keith Street School
Kerr Co.	Kerrville State Sanitorium and Gate of Heaven Cemetery
Limestone Co.	Chinese Labor on the Houston & Texas Central Railway
Nacogdoches Co.	Bridget Nancaro

Scurry Co.	Lincoln School
Travis Co.	Holy Cross Hospital
Wichita Co.	Jimmie Kolp
Wilson Co.	Minnie (Washington) Yates

14.3 Consider approval of filing authorization of amendments to TAC, Title 13, Part 2 for first publication in the *Texas Register*

Sadnick reported the proposed amendments clarify new definitions for markers, medallions, monuments, and plaques.

A. Section 21.3, related to historical marker and monument definitions

Commissioner White moved, Commissioner Limbacher seconded, and the commission voted unanimously to authorize the filing of proposed amendments to Texas Administrative Code (TAC), Title 13, Part 2, Subchapter B, Section 21.3, related to historical marker and monument definitions, for first publication in the *Texas Register*.

B. Section 21.7, related to historical marker applications

Commissioner White moved, Commissioner Burdette seconded, and the commission voted unanimously to authorize filing of proposed amendments to TAC, Title 13, Part 2, Subchapter B, Section 21.7, related to historical marker applications, for first publication in the *Texas Register*.

C. Section 21.12, related to marker text requests

Sadnick stated this amendment defined and clarified the commission and staff roles related to marker text requests. Commissioner White moved, Commissioner Limbacher seconded, and the commission voted unanimously to authorize the filing of proposed amendments to TAC, Title 13, Part 2, Subchapter B, Section 21.12, related to marker text requests, for first publication in the *Texas Register*.

14.4 Consider approval of filing authorization of new rule to the TAC, Title 13, Part 2, Section 21.13, related to removal of historical markers and monuments, for first publication in the *Texas Register*

Sadnick explained that the proposed new rule was initially approved at the October 2020 meeting. He stated that concerned citizens and numerous County Historical Commission (CHC) members submitted comments regarding the rule after it was posted to the *Texas Register*. Staff understood that the context of the rule was not understood and subsequently withdrew the rule. He stated that a virtual meeting was held with CHC participation and a presentation was made to clarify the intent of the new rule. Sadnick further explained that revisions were made to the originally proposed rule as a result of comments aired during the virtual meeting, and those changes were being presented to the commission for resubmitting to the *Texas Register*.

Commissioner White moved, Commissioner Bruseth seconded, and the commission voted unanimously to authorize the filing of new rule, Section 21.13 of the TAC, Title 13, Part 2, Subchapter B, Section 21.13, related to removal of historical markers and monuments, for first publication in the *Texas Register*.

14.5 Consider approval of price changes for 1936 Centennial marker replacement parts

Sadnick reported that the prices charged to sponsors to produce Official Texas Historical Markers had gone up periodically over the years and noted that the cost to produce replacement bronze pieces for the 1936 Centennial markers had also risen significantly. He explained that new prices were being proposed for FY 2021 to cover the cost of production. Chairman Nau stated that the Texas Facilities Commission (TFC) was, in fact, the agency responsible for the Centennial markers and likely was not aware of that duty. He noted that he would be reaching out to the Chairman of the TFC and discuss their obligation.

Commissioner White moved, Commissioner Burdette seconded, and the commission voted unanimously to approve price changes for 1936 Centennial marker replacement parts as recorded in the attached table (Exhibit #1).

15. Executive

15.1 Committee report

Chairman Nau called on Director Wolfe to report on the following action items.

15.2 Consider approval of dates/locations for 2021 and 2022 quarterly meetings

Wolfe reported that the commission annually sets the dates of the current and coming years for planning purposes. He noted that the 2022 meeting locations for Plano, Big Spring, and College Station had originally been scheduled for 2020, but had been cancelled due to the COVID-19 pandemic. Wolfe stated that the committee discussed the dates and recommended the following:

2021	2022
February 2-3, Austin	February 1-2, Austin
April 26-27, Austin	April 28-29, Plano
July 29-30, Tyler or Austin	July 28-29, Big Spring
October 28-29, Wichita Falls	October 27-28, College Station

Chairman Nau moved, Commissioner Gravelle seconded, and the commission voted unanimously to approve the dates and locations for the 2021 and 2022 quarterly meetings as noted on the above list.

15.3 Consider approval of Hurricane Harvey Emergency Supplemental Historic Preservation Fund grant award in the amount of \$215,000 to alternate grant project Anaqua Home, 904 Commerce Street, Refugio, Refugio County

Wolfe reported that, as of November 2020, two of the approved projects, the First Church of Christ, Scientist, and the Jeddo School, had withdrawn from the program and two alternate projects were funded by the Commission at the October 2020 meeting. He stated that there was \$253,544 available to fund another alternate project and the Anaqua Home in Refugio was next on the alternate list. He noted that the National Park Service had determined the building eligible for listing in the National Register (NR) and the owner had submitted a letter indicating interest in participating in the program. Wolfe stated that staff did not anticipate any issues regarding the formal NR determination of eligibility. Chairman Nau moved, Commissioner Bruseth seconded, and the commission voted unanimously to approve \$215,000 in funding from the Hurricanes Harvey, Irma, and Maria Emergency Supplemental Historic Preservation Fund grant program to the Anaqua Home, 904 Commerce Street, Refugio, Refugio County, contingent on a formal NR determination of eligibility by the National Park Service.

15.4 Consider approval of appointments and/or reappointments to the Texas Preservation Trust Fund (TPTF) Advisory Board

Wolfe reported that the TPTF Advisory Board is an 11-member board comprised of dedicated Texans with special expertise and interest in historic preservation. In accordance with the TPTF rules and regulations, members of the TPTF Advisory Board shall serve a two-year term expiring on February 1 of each odd-numbered year, and seven members under consideration for reappointment have agreed to serve another two-year term. Additionally, he stated that four longstanding members recently resigned from the board to provide an opportunity for new members. Chairman Nau moved, Commissioner White seconded, and the commission voted unanimously to approve reappointments of the following TPTF Board members: Doug Boyd, Archeologist (Place 1); Michael Strutt, Ph.D., Archeologist (Place 2); Barry Moore, Architect (Place 2); Jerre Tracy, Nonprofit Preservation Organization Director (Place 2); Jill Souter, Preservationist (Place 1); John Donisi, Attorney; and Douglas Newby, Real Estate Professional.

Chairman Nau moved, Commissioner Donnelly seconded, and the commission voted unanimously to approve new appointments of the following individuals to the TPTF Advisory Board: Susan Frocheur, Architect, (Place 1); Margarita Araiza, Nonprofit Preservation Organization Director (Place 1); Emily Koller, Preservationist (Place 2); and Heather McKissick, Bank or Savings and Loan Association Representative.

15.5 Consider approval of revisions to the criteria for the Texas Historical Commission Preservation Awards

Sadnick explained that proposed changes to the John L. Nau, III Award of Excellence in Museums incorporate good practices promoted by the THC Museum Services program and encourage more fully developed nominations. He also noted that changes to the historic architecture award would broaden the nominee pool, recognizing excellent work in preservation outside the previous confines of the award. Chairman Nau moved, Commissioner Gravelle seconded, and the commission voted unanimously to adopt revisions to the THC Preservation Awards.

15.6 Consider approval of filing authorization of proposed amendments to sections 26.3 and 26.22 of the TAC, Title 13, Part 2, Chapter 26 related to Practice and Procedure for first publication and public comment in the *Texas Register*

Wolfe reported the proposed amendments distinguish between markers and monuments by fully defining their physical characteristics. By doing so, the application of Chapter 21 in the case of markers and Chapter 26 for monuments becomes clear, particularly regarding the issuance of Historic Buildings and Structures Antiquities Permits. He stated that the proposed definition in section 26.3 distinguished between “Landmarks” and “Markers,” and the proposed revision to section 26.3 clarified that monuments may include landscape elements, as well as built or installed features. The previous reference to the Capitol grounds has been omitted to reflect the commission’s absence of authority over this location under these rules. Chairman Nau moved, Commissioner White seconded, and the commission voted unanimously to authorize the filing of proposed amendments to sections 26.3 and 26.22 of the Texas Administrative Code, Title 13, Part 2, Chapter 26 related to Practice and Procedure for first publication and public comment in the *Texas Register*.

16. Ongoing legal matters

16.1 Report from and/or conference with legal counsel on ongoing and/or pending legal matters:

Assistant Attorney General David Gordon reported on pending litigation as follows

A. *Alamo Defenders Descendants Association v. Texas Historical Commission et al.*, Case No. 08-20-00172 (Eighth Court of Appeals in El Paso)

Gordon stated that all briefings had been submitted and the Office of the Attorney General (OAG) anticipates dismissal of this case.

B. *Tap Pilam Coahuiltecan Nation v. Texas Historical Commission et al.*, Cause No D-1-GN-20-005131 (Travis County, Texas)

Gordon stated that all parties had filed the necessary documents and a hearing will be set.

C. *Tap Pilam Coahuiltecan Nation v. Alamo Trust, Inc. et al.*, Fifth Circuit Case No. 20-50908 (Fifth Circuit Court of Appeals)

Gordon reported this case was on appeal and the OAG expected this case to be dismissed.

17. Executive Director’s report

17.1 Report on activities of THC Executive Director and staff for the preceding quarter including meetings held, consultations, contacts, and planned travel/events

In addition to his submitted report, Executive Director Wolfe reported on ongoing issues including the National Register nomination of a portion of downtown El Paso. He explained the process for listing a property on the National Register and noted that El Paso County initiated a nomination for a significant portion of downtown El Paso for a national historic district designation. Wolfe stated that, at the federal level, the designation is an honorary one that does not carry any legal obligation. However, some of the comments received from El Paso property owners within the district boundaries attributed their opposition to the

nomination because the City of El Paso has adopted an ordinance that treats those honorary designations as “local landmarks” that require certain types of permits for alterations on those properties. Wolfe reported that staff asked the consultant working on the nomination to gather an accurate count of the property owners within the boundaries of the proposed district who are opposed to the designation to determine if it is more than half. If it is more than half, the nomination still moves forward to the National Park Service (NPS) but the NPS would then make a determination of eligibility and not actually make a formal designation. He explained that, if less than half were opposed, the decision would be entirely up to the NPS to list, or not list, the district in the National Register. Additionally, Wolfe stated that a property owner filed a lawsuit against the THC in an effort to stop the proceedings but subsequently withdrew the lawsuit. Wolfe also reported on preparations for testimony for consideration by House Appropriations and Senate Finance committees, which included significantly paring down the list of requested exceptional items. In closing, he provided an overview of the items that were removed from the list.

18. Chairman’s Report

18.1 Report on the ongoing projects and operations of the Commission, including updates on meetings held, consultations, contacts, and planned travel/events

Chairman Nau reported that the agency’s exceptional items list was shortened at the suggestion from the Senate and the revised list represented a 50 percent reduction. He congratulated staff for *The Medallion* article on the courthouses, noted that the First Lady’s Main Street Tour was on hold due to the pandemic, and thanked various commission members for volunteering their time to serve on sub committees.

18.2 Appointment of nominating committee for recommendations regarding the 2021-2022 officer positions

Chairman Nau explained that that the terms for Vice-Chair Crain and Secretary Peterson were scheduled to expire in February 2021. He further stated the TAC requires the appointment of a nominating committee to make recommendations regarding the officer positions every two years. Chairman Nau then appointed Commissioners Catherine McKnight, Donnelly, and Broussard. The appointments were later revised to Commissioners White (chair), Limbacher, and Broussard. He charged the committee with presenting the 2021-22 officer recommendations at the April 2021 quarterly meeting.

18.3 Update regarding acquisition of the Almonte Surrender Site, San Jacinto Battleground SHS

Chairman Nau provided the members with an update on the negotiations with NRG Energy, Inc., the Land and Water Conservation Fund, the Texas Parks and Wildlife Department, and the Texas Department of Transportation, and noted that good progress had been made.

19. Adjourn

At 12:59 p.m., on the motion of the Chairman and without objection, the Commission meeting was adjourned.

Gilbert “Pete” Peterson, Secretary

Date

TEXAS HISTORICAL COMMISSION

Item 14.5
Texas Historical Commission
Quarterly Meeting
February 2-3, 2021

Official Texas Historical Marker Prices FY 2002 – 2021

Marker Type	2002-06		2007-08		2009-12		2013-2014		2015-19		proposed 2021	
	Contract price	Sponsor price										
1936 18" bronze seal	59.00	75.00	59.00	75.00	62.10	75.00	39.00	75.00	279.00	300.00	1072.00	1100.00
1936 24" x 18" bronze plaque	648.00	750.00	725.00	850.00	761.98	850.00	387.00	500.00	987.00	1000.00	1394.00	1450.00
1936 4 ¼" bronze star	70.00	100.00	78.00	100.00	81.98	100.00	64.00	100.00	139.00	150.00	96.00	125.00
1936 9" bronze wreath	88.00	125.00	98.00	125.00	103.00	125.00	83.00	125.00	180.00	200.00	315.00	350.00
1936 bronze star & wreath	158.00	200.00	176.00	200.00	184.98	200.00	147.00	200.00	319.00	350.00	372.00	400.00