

# TEXAS HISTORICAL COMMISSION

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## AGENDA Videoconference Meeting February 3, 2021 9:00 a.m.

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Pursuant to the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act due to the Coronavirus (COVID-19), the February 3, 2021 meeting of the Texas Historical Commission will be held by videoconference as authorized under Texas Government Code section 551.127. The Zoom meeting access link (registration required) is: <http://bit.ly/feb2021commission> or for audio only access via telephone, 1(346) 248-7799 Webinar ID: 917 7910 7813. Agenda and meeting materials will be available at [www.thc.texas.gov/videoconferences](http://www.thc.texas.gov/videoconferences) after January 27, 2021.

\*Public comment registration is available at <http://bit.ly/feb3comment>. You must register to provide public comment by noon, on February 2, 2021. To obtain a recording of the meeting please contact Esther Brickley at 512-463-5768 after February 4, 2021.

The members may discuss and/or take action on any of the items listed in the agenda. Note: The Commission may go into executive session (close its meeting to the public) on any agenda item if appropriate and authorized by the Open Meetings Act, Texas Government Code, Chapter 551.

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### 1. Call to Order and Introductions – *Chairman Nau*

- 1.1 Welcome
- 1.2 Pledge of Allegiance
  - A. United States
  - B. Texas
- 1.3 Commissioner introductions
- 1.4 Establish quorum
- 1.5 Recognize and/or excuse absences

### 2. Announcements

- 2.1 Staff introductions – *Wolfe*

### 3. Friends of the THC – *Zutshi, THC Chief Development Officer*

- 3.1 Report on the activities of the Friends of the THC

### 4. Partner Reports

- 4.1 Texas Holocaust & Genocide Commission – *Lynn Aranoff, THGC Chair*
- 4.2 Friends of the Governor's Mansion – *Erika Herndon, Administrator, Friends of the Governor's Mansion*

### 5. Public comment

Members of the public may address the Commission concerning any matter within the authority of the Commission. The Chairman may limit the length of time available to each individual.

- ### 6. Consent Items
- The Commission may approve agenda items 6.1 – 6.8 by a majority vote on a single motion. Any commissioner may request that an item be pulled from this consent agenda for consideration as a separate item.

- 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 & 41UV25), Uvalde County, owned by Girl Scouts of Southwest Texas
  - B. Shackleford 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 the 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 2-year extension for principal investigator Josh Haefner
  - B. Permit #5833 – a second 2-year extension for principal investigator George Avery
  - C. Permit #7520 – a second 1-year extension for principal investigator Kevin Stone

## **7. Antiquities Advisory Board – *Commissioner Bruseth***

- 7.1 Committee report – report 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

## **8. Archeology – *Commissioner Bruseth***

- 8.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including updates on regional archeology/marine activities, Texas Archeology Month, CFCP Program, and upcoming activities/events
- 8.2 Consider the re-certification of the THC's Curatorial Facility for Artifact Research, Travis County, under the Curatorial Facilities Certification Program for a ten-year period

## **9. Architecture – *Commissioner Perini***

- 9.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including updates on staffing, federal and state architectural reviews, courthouse preservation, disaster assistance, the Texas Preservation Trust Fund 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
- 9.3 Consider approval of Texas Historic Courthouse Preservation Program Round XI grant awards

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*

**10. Communications** – *Commissioner Gravelle*

10.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including division updates and media outreach

**11. Community Heritage Development** – *Commission Peterson*

11.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including updates on the Real Places 2021 conference, Texas Main Street program, heritage tourism activities including the Texas Heritage Trails program, and Certified Local Government 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

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

**12. Finance and Government Relations** – *Commissioner Crain*

12.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including a review of the agency financial dashboard and legislative report

**13. Historic Sites** – *Commissioner Crain*

13.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including updates on the San Jacinto Battleground and Monument, retail development, and Historic Sites facilities

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

13.3 Consider approval of the THC Collections Management Plan revisions

13.4 Consider approval of donor recognition for the French Legation SHS

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

**14. History Programs** – *Commissioner White*

14.1 Committee report – report on items considered at the committee meeting held on February 2, 2021 including an update on division activities

14.2 2020 Undertold Markers topics report and discussion

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

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

B. Section 21.7, related to historical marker applications

C. Section 21.12, related to marker text requests

14.4 Consider approval of filing authorization of new rule to the Texas Administrative Code, Title 13, Part 2, 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

**15. Executive**

15.1 Committee report – report on items considered at the committee meetings held on December 10, 2020 and February 2, 2021 including updates on information technology, human resources, ongoing projects and upcoming events

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

- 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*
- 15.4 Consider approval of appointments and/or reappointments to the Texas Preservation Trust Fund Advisory Board– *Wolfe*
- 15.5 Consider approval of revisions to the criteria for the Texas Historic Preservation Awards – *Wolfe*
- 15.6 Consider approval of filing authorization 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* – *Wolfe*

**16. Ongoing legal matters** – *Assistant Attorney General Gordon*

- 16.1 Report from and/or conference with legal counsel on ongoing and/or pending legal matters including:
  - A. *Alamo Defenders Descendants Association v. Texas Historical Commission et al.*, Case No. 08-20-00172 (Eighth Court of Appeals in El Paso)
  - B. *Tap Pilam Coahuiltecan Nation v. Texas Historical Commission et al.*, Cause No D-1-GN-20-005131 (Travis County Texas)
  - C. *Tap Pilam Coahuiltecan Nation v. Alamo Trust, Inc. et al.*, Fifth Circuit Case No. 20-50908 (Fifth Circuit Court of Appeals)

**17. Executive Director's report** – *Executive Director Wolfe*

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

**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
- 18.2 Appointment of nominating committee for recommendations regarding the 2021-2022 officer positions
- 18.3 Update regarding acquisition of the Almonte Surrender Site, San Jacinto Battleground SHS

**19. Adjourn**