TEXAS HISTORICAL COMMISSION

AGENDA
ARCHITECTURE COMMITTEE

Videoconference Meeting
October 27, 2020
10:00 am

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 October 27, 2020 meeting of the THC Architecture Committee will be held by videoconference as authorized under Texas Government Code section 551.127. Zoom meeting access link (registration required): http://bit.ly/octcommittees or audio only access via telephone at 1-346-248-7799; Webinar ID: 999 5778 8643
Agenda and meeting materials will be available at www.thc.texas.gov/teleconferences after October 19, 2020.
The members may discuss and/or take action on any of the items listed in the agenda.

1. Call to Order — *Chairman Perini*
   A. Committee member introductions
   B. Establish quorum
   C. Recognize and/or excuse absences

2. Consider approval of meeting minutes for the Architecture Committee Meeting of June 16, 2020 — *Perini*

3. Division of Architecture update and Committee discussion — *Graham*

4. Consider approval of the recapture of funds from and/or supplemental funding to previously awarded Texas Historic Courthouse Preservation Program projects (Item 9.2) - *Tietz*

5. Consider approval of filing authorization of proposed amendments to Texas Administrative Code, Title 13, Part 2, Chapter 17, Section 17.2, related to Review of Work on County Courthouses, for first publication in the *Texas Register* (Item 9.3) – *Tietz*

6. Adjournment — *Perini*

TEXAS HISTORICAL COMMISSION

MINUTES
ARCHITECTURE COMMITTEE

Teleconference Meeting

June 16, 2020

8:00 a.m.

Committee members in attendance: Commissioners Tom Perini, Wallace Jefferson, Laurie Limbacher, Garrett Donnelly, Earl Broussard, and Monica Burdette.

Committee members absent: Commissioner Lilia Garcia

1. **Call to Order**
The meeting was called to order by Chairman Tom Perini at 8:07 a.m. He announced the meeting had been posted to the Texas Register, was being held in conformance with the Texas Open Meetings Act, Texas Government Code, Chapter 551 and that notice was properly posted with the Secretary of State's Office as required.

A. **Committee member introductions**
Chairman Perini welcomed everyone and called on each commissioner to individually state their name and the city in which they reside.

B. **Establish quorum**
Chairman Perini reported a quorum was present and declared the meeting open.

C. **Recognize and/or excuse absences**
Chairman Perini made a motion to excuse the absence of Commissioner Lilia Garcia. Commissioner Wallace Jefferson seconded the motion, which passed.

2. **Consider approval of the May 12, 2020 Architecture Committee Minutes**
Chairman Perini called for a motion to approve the minutes of the May 12, 2020 Architecture Committee meeting. Commissioner Broussard motioned and Commissioner Donnelly seconded the motion, which passed by a unanimous vote.

3. **Public Comment**

Members of the public were allowed a suggested time of 5 minutes each to address the committee regarding any matter within the authority of the committee. Public comment was called for and the following individuals commented:

- Judge J. D Clark on behalf of Wise County
- Judge Fisher on behalf of Lee County
- Judy Richards on behalf of Kaufman County
- State Representative Andrew Murr in support of Mason and Kimble Counties
- Sam Goldsmith in support of Callahan County
- Judge Kniffen on behalf of Callahan County
- Judge Murphy on behalf of Polk County

Division of Architecture staff member Olivia Hillmer read public comments that were submitted in writing by the following individuals':

- Karl Komatsu on behalf of Callahan County
- Mayor George Fuller on behalf of Collin County
- Judge Boles Jr. on behalf of Taylor County
- Karl Komatsu on behalf of Upshur and Wise Counties
- JR Rubio on behalf of Duval County

4. Division of Architecture update and committee discussion

Division of Architecture director Bess Althaus Graham provided an update of the activities within the Division of Architecture. She began her report by giving an overview of the division. Ms. Graham reported the Battleship Texas macro objects were being removed from the deck for conservation. She highlighted the conditional approval of a permit for towing of the Battleship Texas to the Gulf Copper Shipyard in Galveston. She noted testing is currently underway for towing which is set to take place in a few months.

Ms. Graham continued her division report by reporting on activities of the Texas Preservation Trust Fund. She reported 42 grant applications were received for the FY 2021 grant cycle and 27 grants were selected to proceed to the project proposal stage. Ms. Graham noted those proposals are due to the THC on July 13th and THC scoring teams will then score the project proposals using similar scoring criteria as in the initial application phase. These scores will then be considered by the TPTF Advisory Board which will recommend grant awards to the Commission at the October quarterly meeting. Ms. Graham highlighted several projects that were approved to move into the project proposal stage. She reported the total amount available for the FY 2021 grant round is $248,625.

Reporting on the Disaster Assistance Program, which is funded by the NPS Emergency Supplemental Historic Preservation Fund (EMSHPF), Ms. Graham noted the National Park Service Programmatic Agreement has been approved. She also reported the subgrant agreement is in place and staff will be working this summer to review the 39 projects that received funding from the Commission.

Ms. Graham highlighted the activities of the State and Federal Tax Credit Programs. She reported in this quarter, THC certified 9 projects for the Texas Historic Preservation Tax Credit which have a total of $160 million in qualified rehabilitation expenses. Ms. Graham highlighted the two largest projects certified: Medical Towers, located in the Medical Center in Houston, designed by the architecture firm SOM for use as an office building and converted to a hotel; and The El Paso Natural Gas Building, better known as the Blue Flame building, for the large rooftop sculpture of a natural gas flame. The first phase of work has been completed and certified, and a second phase is still underway. Most of the building now serves as affordable housing. Some floors that are still under construction will house office tenants. Ms. Graham reported the program now has a total of 230 certified projects, with cumulative QREs of $1.75 billion.

Bess Graham reported on activities of the Courthouse Preservation Program. Ms. Graham highlighted the work of staff on the Fannin County Courthouse. Commissioner Limbacher thanked all the staff within DOA on the work they have been doing.

5. Presentation of the Texas Historic Courthouse Preservation Program (THCPP) applications for Round XI grant cycle

Susan Tietz reported the program was appropriated $25 million to use in this biennium and has an unobligated funds balance of $ 22,624,217. She further noted grant applications were received from 21 counties, including:

- 6 applications for Emergency Funds totaling nearly $ 4 million;
- 12 applications for Planning funds totaling $ 7.3 million; and
- 18 applications for Construction Funds totaling $91.5 million;
- for a total of almost $103 million in requests toward proposed total project costs of over $177 million.

Ms. Tietz reported 15 full restoration requests were received, which is the most since 2012. Ms. Tietz noted over $75 million in local matching funds were committed toward total projects cost of over $177 million. She reported that in the summer of 2018 an Advisory Committee was convened to evaluate the program's fairness and efficacy. One of the results of that committee was the addition of a new scoring criterion which considers an applicant's ability to contribute funds to a project. Ms. Tietz noted the THC uses County Rates & Levies as reported by the Comptroller's office. The point allocation for this new category is between 0 and 20 points, also a recommendation of the committee. This helps counteract the original Overmatch criterion which allocates 0-8 points for applicants that commit more than the minimum 15% match.

Ms. Tietz discussed the funding requests as follows:

- Bell County requested funds to undertake a partial construction project, including masonry restoration and cleaning, and to reconstruct missing cupolas. Work to the interior is minimal and includes an audio-visual system, energy efficient lighting and security upgrades.

- Burnet County proposal is for a full restoration of the site, exterior and interior, including the removal of a 1974 above ground addition. The emergency scope will address accessibility and improve site and roof drainage.

- Callahan County proposal is for a full site, exterior and interior restoration, including restoration of the original boundaries of the courthouse square. Callahan county received a Round VIII Emergency Grant to rehabilitate its badly deteriorated windows and Round X Planning Grant.

- The Coleman County Courthouse, originally constructed in 1902, was dramatically altered in 1952 which is the building you see here. After developing plans through a Round X Master Plan Update Grant, the County has decided to pursue full restoration of the 1902 courthouse, requiring the removal of a substantial 1950s addition and significant reconstruction of missing features.

- Collin County's proposal is for a partial construction project that includes the replacement of landscape elements and repair of window wells, downspouts and stair railings on the site of what is now the McKinney Performing Arts Center. Interior work will include minor repairs and patching of damaged plaster wall and ceiling finishes, repair of interior window finishes, and updated plumbing fixtures, lighting and A/V systems.

- Duval County requests funding to fully restore the 1916 Courthouse and the 1938 Page Sutherland Page addition to the 1938 period of significance, including the removal of the 1999 District Courtroom and Jail. The site, exteriors and interiors would all be restored to their 1938 appearance. This building is severely endangered, and Duval County has applied for an emergency grant to address three critical

issues; poor site and building drainage, damage of the brick & stone masonry resulting from corroding steel lintels at windows and door openings, and the replacement of outdated and dangerous electrical services.

- Frio County is requesting funding to fully restore the courthouse to its 1905 appearance, reconstructing the third floor, roof and clock tower. Additions from 1939, 1975, 1950's, and 1977 will be demolished. Frio County's Emergency request will address critical electrical deficiencies while keeping the building fully operational. Wherever possible, work will focus on providing upgrades that will be sympathetic to the future restoration of the historic 1905 building while minimizing work to the later additions that are proposed for removal in the future.
- The 1893 Grimes County Courthouse was fully restored with a Round I grant. The county's Emergency Grant application proposes the replacement of existing, solid wood doors with late 1930's period glazed doors. Because the replica 1893 solid wood door swing was changed to swing outward to meet code, the doors have been dangerous for people standing on the landing, entering the building. An elderly woman waiting to enter the building, was pushed down the stairs. Glass in the doors will allow users to see people on the steps, enabling more safe usage of the doors in proximity to trafficked stairs and passageways.
- Hunt County completed construction documents with a Round IX Planning Grant. The county's proposal is for a full site, exterior and interior restoration.
- Jefferson County proposes a Partial Construction project that entails repair to damaged materials and finishes caused by water infiltration and termite damage, and a new mechanical, fire suppression and notification systems, all for the 2nd and 3rd floors only. Jefferson County received a Round VIII Emergency Grant to provide fire suppression and notification for other floors.
- Kaufman County is a new applicant and presents the first Mid-Century Modern courthouse to participate in the program since it began in 2000. Kaufman County requests a Full Restoration Grant to restore the site, exterior and interior of the building, including the removal of a security vestibule on the front of the building. The removal of the vestibule will be paid for by the county, because it was installed out of compliance with courthouse law in 2005.
- Lee County, despite major structural repairs funded by previous grant awards in Rounds VI and VIII and matching funds from the county, the courthouse still contends with highly expansive soils, significantly endangering the building's long-term preservation. The previous foundation repairs did not solve the structural issues and crack monitors demonstrate continued and substantial movement of the building. A Round X Emergency Grant funded an assessment by a structural engineer experienced with load-bearing masonry who has designed a new solution using drilled shafts that will stabilize the building, and everyone feels confident that this solution will work. The county is committed to preserving this state landmark and has invested a large amount of money in matching funds since the building was first restored with a Round I Full Restoration Grant.
- Kimble County proposed full restoration of the site, exterior and interior, includes the removal of a 1973 addition. The county received an emergency grant in Round X to rehabilitate the building's badly corroded steel windows.
- Mason County completed construction documents with a Round VI Planning Grant, and now proposes a full restoration of the site, exterior and interior, using those construction documents.

- Polk County completed construction documents with a Round X Planning Grant to restore the 1925 courthouse. An elevator tower was removed, and a new code compliant interior elevator installed, using a Round 7 emergency grant. Their current grant application is for a full restoration grant to complete the project outlined in their construction documents.
- Taylor County funded production of architectural plans and specifications for a full site, exterior and interior restoration. The current proposal is for a full restoration construction grant to undertake the project outlined in those construction documents.
- Upshur County completed construction documents using a Planning Grant that was awarded in 2010, and subsequently received two emergency grants to improve site drainage and improve accessibility, after the county received a notice from the Department of Justice in 2011. This current proposal is to fully restore the site and building, using their construction documents.
- Van Zandt County is in the process of completing their 95% architectural plans & specifications that describe a full site, exterior and interior restoration. Their Round XI proposal involves the restoration of the limestone veneer panel system, metal windows and restoration of the site's original configuration. Interior finishes will be restored throughout the building.
- Washington County is a new applicant. With their proposal, Washington County will address inappropriate changes to the square from 1985, including removal of raised planting beds. Exterior work will focus on repair of the limestone veneer panel system and replacement of the flat roofing systems. Interior work will ensure full restoration of historic elements and finishes. Their emergency request is to address corroding steel attachments causing spalling of the limestone veneer.
- Willacy County was awarded a Round IX grant in 2016 to address moisture infiltration and interior humidity issues. That work has not yet been undertaken. This proposal is for a grant to fully restore the site, exterior and interior, or for a Planning Grant to produce construction documents for this work.
- Wise County has not applied to the program in over 15 years, but after completing a master plan update funded in Round X, the county is submitting a request for a Planning Grant to produce construction documents for a full restoration of this Texas landmark.

Division of Architecture Director Bess Graham questioned if all members of the committee received the updated funding scenarios. All commissioners responded they did receive the updated funding scenarios. Commissioner Perini called for a 5-minute break at 9:40a.m. The committee resumed the session at 9:44a.m. Commissioner Jefferson departed the committee meeting at 9:51a.m.

6. Discussion and possible action on proposed THCPP Round XI Grant Funding Scenarios

Susan Tietz discussed the 6 funding scenarios as outlined in the document presented to committee members (Exhibit 1). The committee discussed the scenarios and Ms. Tietz answered questions relevant to the discussion. Commissioner Broussard moved that the Architecture committee approve scenario #2. Commissioner Burdette seconded the motion. Commission Limbacher recused herself from the vote due her firm's involvement. The motion passed.

7. Adjournment

Commissioner Broussard moved to adjourn the meeting. Chairman Perini adjourned the meeting at 10:26a.m.

TEXAS HISTORICAL COMMISSION

Texas Historic Courthouse Preservation Program

Round XI Grant Cycle Funding

The total amount of funds appropriated by the 86th Legislature was $25,000,000. Due to supplemental funding awarded at the October Quarterly Meeting in the amount of $2.6 million and a prior recapture, the total unobligated balance available for awards is **$22,624,217**. The target grant fund balance for all scenarios is $2 million. Counties are listed in order of score, from highest to lowest.

Funding Scenario #1:

Funds three Full Restoration projects and one Emergency project at 100% of their requests, and 95% of the requests for five Planning projects. Reducing Planning Grants only minimally increases a county's cash match and leaves a balance of **$2,225,890**. Duval County is awarded a Planning Grant but will be given the option to select an Emergency Grant instead, which was $311,307 less than their planning request.

Scenario 1:

County	Score	Type	Project Cost	Request	Grant Award	
Mason	202	Full Restoration	$ 4,990,119	$ 4,140,119	**$ 4,140,119**	
Callahan	194	Full Restoration	$ 9,829,904	$ 4,684,891	**$ 4,684,891**	
Taylor	193	Full Restoration	$ 14,957,216	$ 5,980,000	**$ 5,980,000**	
Wise	191	Planning	$ 1,125,362	$ 787,753	**$ 748,365**	95%
Duval	190	Planning	$ 1,273,627	$ 891,538	**$ 846,961**	95%
Washington	186	Planning	$ 1,018,757	$ 713,130	**$ 677,474**	95%
Kimble	184	Planning	$ 540,698	$ 378,489	**$ 359,565**	95%
Willacy	168	Planning	$ 1,147,655	$ 803,359	**$ 763,191**	95%
Lee	57 E	Emergency	$ 5,070,600	$ 1,970,149	**$ 1,970,149**	
Total:			**$ 39,953,938**	**$ 24,552,919**	**$ 20,170,715**	
Balance:					**$ 2,225,890**	

Funding Scenario #2:

Funds three Full Restoration projects, four Planning projects and two Emergency projects, all at 100% of their requests. This scenario leaves a balance of **$2,358,484**.

Scenario 2:

County	Score	Type	Project Cost	Request	Grant Award
Mason	202	Full Restoration	$ 4,990,119	$ 4,140,119	**$ 4,140,119**
Callahan	194	Full Restoration	$ 9,829,904	$ 4,684,891	**$ 4,684,891**
Taylor	193	Full Restoration	$ 14,957,216	$ 5,980,000	**$ 5,980,000**
Wise	191	Planning	$ 1,125,362	$ 787,753	**$ 787,753**
Washington	186	Planning	$ 1,018,757	$ 713,130	**$ 713,130**
Kimble	184	Planning	$ 540,698	$ 378,489	**$ 378,489**
Willacy	168	Planning	$ 1,147,655	$ 803,359	**$ 803,359**
Duval	61 E	Emergency	$ 828,902	$ 580,231	**$ 580,231**
Lee	57 E	Emergency	$ 5,070,600	$ 1,970,149	**$ 1,970,149**
Total:			**$ 39,509,213**	**$ 20,038,121**	**$ 20,038,121**
Balance:					**$ 2,358,484**

Funding Scenario #3:
Funds three Full Restoration projects at 95% of their requests, six Planning projects at 90% of their requests and two Emergency projects at 100% of their requests. Reducing Full Restoration grants requires grant recipients to increase their match substantially. This scenario produces six additional shovel-ready projects, making a total of 13 in the program. This yields a significant number of counties seeking construction funding in future rounds. Note that the last three counties funded for Planning Grants have scores significantly below the next highest. This scenario leaves a balance of **$2,256,998**.

Scenario 3:

County	Score	Type	Project Cost	Request	Grant Award	
Mason	202	Full Restoration	$ 4,990,119	$ 4,140,119	**$ 3,933,113**	95%
Callahan	194	Full Restoration	$ 9,829,904	$ 4,684,891	**$ 4,450,646**	95%
Taylor	193	Full Restoration	$ 14,957,216	$ 5,980,000	**$ 5,681,000**	95%
Wise	191	Planning	$ 1,125,362	$ 787,753	**$ 708,978**	90%
Washington	186	Planning	$ 1,018,757	$ 713,130	**$ 713,130**	90%
Kimble	184	Planning	$ 540,698	$ 378,489	**$ 378,489**	90%
Willacy	168	Planning	$ 1,147,655	$ 803,359	**$ 803,359**	90%
Burnet	166	Planning	$ 667,961	$ 378,489	**$ 378,489**	90%
Frio	162	Planning	$ 1,093,958	$ 765,771	**$ 689,194**	90%
Duval	61 E	Emergency	$ 828,902	$ 580,231	**$ 580,231**	
Lee	57 E	Emergency	$ 5,070,600	$ 1,970,149	**$ 1,970,149**	
Total:			**$ 41,271,132**	**$ 21,182,381**	**$ 20,286,778**	
Balance:					**$ 2,256,998**	

Funding Scenario #4:
Funds four Full Restoration projects at 90% of their requests and two Emergency projects at their full requests. This scenario yields no new shovel ready projects, but funds one additional Full Restoration project. Once the four shovel-ready projects below receive this construction funding, that still leaves six shovel-ready projects participating in the program and awaiting construction funding, although three of those have not applied in several years. This scenario leaves a balance of **$2,015,551**.

Scenario 4:

County	Score	Type	Project Cost	Request	Grant Award	
Mason	202	Full Restoration	$ 4,990,119	$ 4,140,119	**$ 3,726,107**	90%
Callahan	194	Full Restoration	$ 9,829,904	$ 4,684,891	**$ 4,216,402**	90%
Taylor	193	Full Restoration	$ 14,957,216	$ 5,980,000	**$ 5,382,000**	90%
Hunt	192	Full Restoration	$ 19,719,498	$ 5,006,850	**$ 4,506,165**	90%
Duval	61 E	Emergency	$ 828,902	$ 580,231	**$ 580,231**	
Lee	57 E	Emergency	$ 5,070,600	$ 1,970,149	**$ 1,970,149**	
Total:			**$ 55,396,239**	**$ 22,362,240**	**$ 20,381,054**	
Balance:					**$ 2,015,551**	

Funding Scenario #5:
Funds four Full Restoration projects and three Planning projects, all at 90% of their requests, and one Emergency project at its full request. As mentioned earlier, reducing Full Restoration grants requires the grant recipients to increase their cash match substantially. This scenario does not fund the emergency project of repairing the foundation of the Lee County Courthouse, but it does allow the funding of one additional Full Restoration project. This scenario leaves a balance of **$2,294,265**.

Scenario 5:

County	Score	Type	Project Cost	Request	Grant Award	
Mason	202	Full Restoration	$ 4,990,119	$ 4,140,119	**$ 3,726,107**	90%
Callahan	194	Full Restoration	$ 9,829,904	$ 4,684,891	**$ 4,216,402**	90%
Taylor	193	Full Restoration	$ 14,957,216	$ 5,980,000	**$ 5,382,000**	90%
Hunt	192	Full Restoration	$ 19,719,498	$ 5,006,850	**$ 4,506,165**	90%
Wise	191	Planning	$ 1,125,362	$ 787,753	**$ 708,978**	90%
Washington	186	Planning	$ 1,018,757	$ 713,130	**$ 641,817**	90%
Kimble	184	Planning	$ 540,698	$ 378,489	**$ 340,640**	90%
Duval	61 E	Emergency	$ 828,902	$ 580,231	**$ 580,231**	
Total:			**$ 53,010,456**	**$ 22,271,463**	**$ 20,102,340**	
Balance:					**$ 2,294,265**	

Funding Scenario #6:
Funds four Full Restoration projects and one Emergency project, all at their full requests. This scenario does not fund the emergency project of repairing the foundation of the Lee County Courthouse or produce any additional shovel-ready projects, but it does allow four Full Restoration projects to be funded at their full request. This scenario leaves a balance of **$2,232,126**.

Scenario 6:

County	Score	Type	Project Cost	Request	Grant Award
Mason	202	Full Restoration	$ 4,990,119	$ 4,140,119	**$ 4,140,119**
Callahan	194	Full Restoration	$ 9,829,904	$ 4,684,891	**$ 4,684,891**
Taylor	193	Full Restoration	$ 14,957,216	$ 5,980,000	**$ 5,980,000**
Hunt	192	Full Restoration	$ 19,719,498	$ 5,006,850	**$ 5,006,850**
Duval	61 E	Emergency	$ 828,902	$ 580,231	**$ 580,231**
Total:			**$ 50,325,639**	**$ 20,392,091**	**$ 20,392,091**
Balance:					**$ 2,232,126**

TEXAS HISTORICAL COMMISSION

Quarterly Report

Architecture Division
June–September 2020

FEDERAL AND STATE REVIEW

During the 4th quarter, the Division of Architecture's regional review staff completed 183 reviews under Section 106 of the National Historic Preservation Act of 1966, issued 9 permits for State Antiquities Landmark (SAL) properties, provided oversight and guidance to 26 active Texas Preservation Trust Fund (TPTF) grant projects, and scored 18 FY 2021 project proposals in the architecture category.

State Antiquities Landmarks

Battleship Texas Foundation, Valkor, and Resolve have begun prepping the ship for transport to the shipyard where extensive rehabilitation will take place. Foam has been installed in 23 out of 44 blister tanks. This includes opening a small section in each blister tank, installing a protective lining, and filling the tank with foam. The foam will help prevent water intrusions by blocking any openings in the blister tanks. The team has encountered numerous leaks during this process of preparing the tanks, but they have been able to keep the vessel stable and in control. Overall, the pump requirement for vessel stability has decreased dramatically throughout the foaming process and the installed foam has shown to work as expected, preventing water ingress into the vessel. The work completed has greatly improved the current condition of the *Texas* and her fragile state.

In addition to the blister tank preparation and foaming, the team has addressed leaks in the stern. New concrete patches were constructed and installed. The restoration of the macro objects is also underway, and several items have had their damaged coatings removed and have been cleaned and refinished.

Espinoza House, located in Hemisfair Park in San Antonio, is being repurposed as a restaurant and bar. The Division of Architecture has issued a permit for an addition that will be attached to the rear addition of the State Antiquities Landmark (SAL). The proposed addition is smaller than the historic house and is differentiated from the original structure. Along with a bar and small dining area, Espinoza House will feature terraces for outdoor dining

Section 106 of the National Historic Preservation Act

The Division of Architecture Federal and State Review Program staff are coordinating with the History Programs and Archeology divisions, the Fort Worth District of the U.S. Army Corps of Engineers, and Palo Pinto County Municipal Water District to develop an amendment to the 2016 Turkey Peak Reservoir Programmatic Agreement. The amendment will stipulate specific mitigation for an adverse effect to several archeological sites, along with a historic concrete weir structure that will require extensive modification for the construction of the reservoir. Currently proposed mitigation includes photographic documentation of the historic weir, historical interpretive signage, and the reconstruction of a historic rock oven that was also discovered on the site.

Texas Preservation Trust Fund

In July, the THC accepted 24 TPTF project proposals (two archeology, four heritage education, and 18 architecture) from the 28 projects invited to this application stage. THC interdisciplinary staff teams scored the proposals and met with the TPTF Advisory Board on September 23 to discuss the projects. The board will formulate its funding recommendations that the Commission will consider at the October quarterly meeting. The total amount available for the FY 2021 grant round is $248,625.

Hurricane Harvey Emergency Supplemental Historic Preservation Fund (ESHPF)

The Programmatic Agreement (PA) for the ESHPF grant was executed in July, which allowed staff to begin submitting development projects for environmental review. Most development projects should have environmental clearance by the end of 2020. Planning projects do not require an extended environmental process, so staff has been executing financial agreements with the project sponsors. These projects are underway. The first interim reports are due in September.

One preliminarily awarded project, the First Christian Church, Scientist in Victoria, has withdrawn from the grant program, which will allow redistribution of that award to other applicants.

PRESERVATION TAX CREDITS

The tax credit program remains remarkably busy as construction and design planning continues across the state. During this quarter, the Texas Historic Preservation Tax Credit (THPTC) program received 23 Part A, 21 Part B, 17 Part B amendments, and 12 Part C applications.

Certificates of Eligibility were issued for 12 completed projects in Denison, Dallas, Wichita Falls, Fort Worth, Houston, San Antonio, Taylor, Castroville, and Blanco. (see Highlights for newly certified projects). Qualified expenses for these projects total nearly $52 million. A total of 244 projects have been certified since the beginning of the program, with qualified expenses of $1.804 billion.

For the **federal tax credit program**, staff received nine Part 1, seven Part 2, 17 Part 2 amendments, and four Part 3 applications. Four projects were certified by the NPS this quarter.

In lieu of in-person training, the NPS conducted its biennial SHPO training virtually in August. While this training is normally open only to tax credit reviewers, it was expanded this year to include other THC staff as well, including architectural reviewers and Main Street designers. An additional webinar on windows was held in September and will be followed by other in-depth presentations on specific topics. The NPS is also beginning the process to move toward an electronic submission system for federal tax credit applications, with division staff participating in a working group with other SHPO staff to assist the NPS in shaping the system. The THC also plans to develop an electronic system for state applications, though we have not yet planned how that might function.

COURTHOUSE PRESERVATION

Texas Historic Courthouse Preservation Program (THCPP) Round XI Grant Cycle

At its last quarterly meeting, the Commission approved nine Round XI construction, planning, and emergency grants totaling $20,038,121. Callahan, Mason, and Taylor counties received construction grants for full restorations. Kimble, Washington, Wise, and Willacy counties received planning grants to be applied toward the production of construction documents for a future application to the THCPP for full restoration of their courthouses. Duval and Lee counties received emergency grants to address critical issues, including the replacement of an original electrical system and foundation repairs. Grant orientations were held via webinars for the three grant types on the morning of July 31, and Funding Agreements for those grants were due on September 17.

The THC received applications from 21 counties requesting over $100 million in grants for projects totaling over $175 million. The agency determined grant awards by assessing 22 criteria, including the building's age, endangerment, historical designations, the applicants' proposals, support for the project, and a new scoring criterion that assesses an applicant's ability to contribute financially toward the project. This new criterion, county revenue, gives applicants with lower revenues more points than applicants with higher revenues. Emergency grants were based primarily upon the score assigned to the endangerment category.

THCPP Grant Construction Projects

Fluted limestone lintels above the window bays on the **Falls County Courthouse** in Marlin were sagging, and both a mason and structural engineer were consulted in order to design a solution. A very narrow steel bar, painted to match the adjacent masonry, was installed to provide additional support. Original resilient flooring had to be replaced in some areas because the asbestos in it became friable. It was difficult to find a close match, but a linoleum product was found that resembles the original purple and red resilient flooring.

New, replica wood windows are being manufactured for installation in the **Fannin County Courthouse** in Bonham. The complex masonry restoration of the 1889 façade is still underway. Fannin County and its residents remain committed to their impressive reconstruction and restoration project, despite significant cost increases.

Tar is being removed from the brick parapet as part of the ongoing façade restoration at the **Lipscomb County Courthouse** in Lipscomb. Plaster restoration is nearing completion on the interior.

Completion of the full restoration of the **Marion County Courthouse** in Jefferson is approaching at the end of 2020. Remaining work includes restoration of the interior finishes on the floors, walls, ceilings, doors, and windows, including stenciling on the upper walls of the public spaces.

Status Report for Round IX Full Restoration and Emergency Grant Projects

10/7/2020

			Construction							Post-Construction								
County	Reviewer	Grant Award & Balance	NTP Bid	SAL Permit	Bid Period Start	Const Contract	NTP Contract	Construct Start	Work In Progress	Close Out Docs	Insurance	Completion Report	Substantial Completion	Project Completion	Rededication	Architect	Contractor	Status Notes
Cameron Emergency Construction	Tania Salgado	$450,000.00 $45,000.00	■	■	12/04/2016	■	■	7/26/2018	□	□	■	□	3/29/2019	5/1/2019	N/A	Ford, Powell & Carson, Inc.	SpawGlass	Received Completion Report Draft for Review
Fannin Full Restoration	James Malanaphy	$5,600,000.00 $5,231,903.00	■	□	01/01/2018	■	■	4/1/2018	■	□	□	□	10/1/2020	11/1/2021	TBD	ArchiTexas Dallas	Phoneix 1	Roof structure installation underway. Architect and contractor seeking good match for the masonry at the base of the building, likely dolomite.
Hunt Planning	James Malanaphy	$646,401.80 $0.00	N/A	□	N/A	N/A	N/A	N/A	□	□	■	■	N/A	1/4/2018	N/A	ArchiTexas Dallas	N/A	Complete
Karnes Full Restoration	Tanis Salgado	$4,093,559.00 $0.00	■	■	10/14/2015	■	■	11/1/2015	■	■	■	■	1/29/2018	3/2/2018	4/7/2018	Fisher-Heck Architects	MJ Boyle	Complete.
Kleberg Emergency Construction	Tania Salgado	$450,000.00 $45,000.00	■	■	N/A	■	■	1/29/2018	□	□	□	■	4/8/2019	5/8/2019	N/A	Komatsu Architecture	JC Stoddard Construction	Awaiting Completion Report
Lynn Full Restoration	Eva Osborne	$5,149,905.00 $348,264.00	■	■	12/01/2016	■	■	5/1/2017	■	□	□	□	10/1/2019	2/1/2019	7/20/2019	Komatsu Architecture	JC Stoddard Construction	Awaiting Completion Report
San Saba Full Restoration	Eva Osborne	$4,911,105.00 $491,111.00	■	■	08/25/2017	■	■	12/8/2017	■	□	□	□	10/1/2019	11/1/2019	3/5/2020	ArchiTexas Austin	JC Stoddard Construction	Awaiting Completion Report
Willacy Emergency Construction	Tania Salgado	$402,970.00 $402,970.00	□	□	03/01/2020	□	□	TBD	■	□	□	□	3/15/2021	TBD	N/A	Limbacher & Godfrey		Newly proposed schedule approved by staff on 08/06/2020.

Count: 8

Total Funds Awarded:
$21,703,940.80

Funds Remaining:
$6,564,248.00

Status Report for Round X Full Restoration and Emergency Grant Projects

10/7/2020

			Pre-Construction				Construction							Post- Construction					
County & Round	Reviewer	Grant Award & Balance	Funding Agree	Easement	Arch Contract	Construct Docs	NTP Bid	SAL Permit	Bid Period Start	Const Contract	NTP Contract	Construct Start	Work In Progress	Substantial Completion	Project Completion	Rededication	Architect	Contractor	Status Notes
Camp Emergency Construction	James Malanaphy	$417,576.00 $370,336.00	■	■	■	□	■	□	12/21/2019	□	□	TBD	□	TBD	TBD	N/A	Komatsu Architecture	Out to bid	Awaiting signed contract, schedule of values and project schedule. Preconstruction meeting was held May 27, 2020.
Falls Full Restoration	Greta Wilehlm	$5,832,430.00 $3,752,600.00	■	■	■	■	■	■	06/01/2019	■	■	12/9/2019	■	TBD	4/1/2021	TBD	Komatsu Architecture	Stoddard Construction Management	Masonry restoration complete and scaffolding removed. Ornamental cerusing sample submitted by paint conservator. Historic brass hardware refinishing underway. Steel window rehabilitation nearing completion, and only reglazing remains.
Goliad Emergency Construction	Tania Salgado	$205,995.00 $155,222.00	■	□	■	■	■	■	10/10/2018	■	■	1/9/2019	□	11/22/2019	11/22/2019	N/A	Wiss Janney Elstner Associates Inc	Phoenix 1	Final RR along with the Completion Report received 8/10/2020
Kimble Emergency Construction	Tania Salgado	$318,176.00 $318,176.00	■	□	■	□	■	N/A	11/30/2018	■	■	7/1/2019	■	1/31/2020	2/15/2020	N/A	Hutson Gallagher	Joe R. Jones Construction	Completion Report Draft received. Contractor has achieved substantial completion but no final acceptance. Still working on Close Out Documentation.
Lee Emergency Planning	Susan Tietz	$44,170.00 $1,190.00	■	N/A	■	□	N/A	N/A	N/A	N/A	N/A	N/A	□	N/A	N/A	N/A	Sparks Engineering	N/A	Awaiting final reimbursement request and Completion Report.
Limestone Emergency Construction	Greta Wilehlm	$438,854.00 $431,579.00	■	□	■	□	□	□	02/01/2020	□	□	3/15/2020	□		8/1/2020	N/A	Komatsu Architecture		Bid documents under review.
Lipscomb Full Restoration	Eva Osborne	$4,937,006.00 $3,645,810.00	■	□	■	■	■	■	09/14/2018	■	■	1/9/2020	□	1/4/2021	1/4/2021	TBD	Arthur Weinman	Premier Metalwerks	Black mastic being removed from brick parapet. Trenching complete for electrical.
Marion Full Restoration	James Malanaphy	$4,682,610.00 $2,491,291.00	■	■	■	■	■	■	09/01/2018	■	■	10/1/2018	■	9/1/2020	10/1/2020	TBD	Komatsu Architecture	Joe R. Jones Construction	The courthouse restoration is 90% complete. Landscape improvements are underway since the scaffolding has been removed. Major work items remaining are courtroom decorative finishes and furnishings.
Menard Full Restoration	Eva Osborne	$1,382,388.16 $566,901.00	■	■	■	■	■	■	03/29/2019	■	■	8/1/2019	■	6/19/2020	6/19/2020	TBD	Stan Klein Architect, LLC	JC Stoddard Construction	Mechanical equipment is being isolated to improve courtroom acoustics. New elevator installed, and historic jail being restored as offices with a single cell preserved.
Milam Emergency Construction	Susan Tietz	$60,012.00 $60,012.00	■	■	■	■	■	■	04/01/2019	■	■	8/15/2019	■	N/A	12/1/2019	N/A	ArchiTexas Austin	MRI Builders	Complete. Awaiting single easement attachment before releasing reimbursement.

Count: 10

Total Funds Awarded: $23,665,090.16

Funds Remaining: $11,792,932.00

Status Report for Round X Planning Grant Projects

10/7/2020

County	Round	Reviewer	Grant Award	Remaining	Agreement	Contract	Schematic Design	65%	95%	Architect	Contact
Callahan	10p	Eva Osborne	$ 865,109.00	$ 129,766.00	■	■	■	■	■	Komatsu Architecture	Rick Sacy
Polk	10p	Susan Gammage	$ 736,638.00	$ 71,073.00	■	■	■	■	■	Komatsu Architecture	Karl Komatsu
Refugio	10p	Tania Salgado	$ 863,000.00	Returned	□	□	□	□	□	Komatsu Architecture	Rick Sacy
Van Zandt	10p	James Malanaphy	$ 423,572.00	$ 84,714.00	■	■	■	■	■	Barham & Associates	Michael

Count: 4 **Awarded:** $2,888,319.00 **Funds Remaining:** $285,553.00

Status Report for Round X Master Planning Grant Projects

County	Round	Reviewer	Grant Award	Remaining	Agreement	Contract	Schematic Design	65%	95%	Architect	Contact
Bandera	10MP	Tania Salgado	$ 50,000.00	$ 50,000.00	■	■	■	■	■	ArchiTexas Austin	Stan Graves
Bell	10MP	James Malanaphy	$ 22,500.00	$ 22,500.00	■	■	■	■	■	EIKON Consulting Group	Michael Tubiolo
Blanco	10MP	Greta Wilhelm	$ 50,000.00	$ 50,000.00	■	■	■	■	□	Hutson Gallagher	Chris Hutson
Burnet	10MP	Greta Wilhelm	$ 44,900.00	$ 44,900.00	■	■	■	■	■	ArchiTexas Austin	Larry Irsik
Chambers	10MP	Greta Wilhelm	$ 50,000.00	$ 50,000.00	■	■	■	■	□	ArchiTexas Dallas	Jay Firsching
Clay	10MP	Eva Osborne	$ 50,000.00	$ 50,000.00	■	■	■	■	■	Harper Perkins	Charles F. Harper
Coleman	10MP	Eva Osborne	$ 50,000.00	$ 50,000.00	■	■	■	■	■	ArchiTexas Austin	Larry Irsik
Collin	10MP	James Malanaphy	$ 44,000.00	$ 44,000.00	■	■	■	■	■	ArchiTexas Dallas	David Chase
Duval	10MP	Tania Salgado	$ 50,000.00	$ 50,000.00	■	■	■	■	■	ArchiTexas Austin	Stan Graves
Frio	10MP	Tania Salgado	$ 50,000.00	$ 50,000.00	■	■	■	■	■	ArchiTexas Austin	Stan Graves
Grayson	10MP	James Malanaphy	$ 50,000.00	$ 50,000.00	■	■	■	■	■	ArchiTexas Dallas	David Chase
Hall	10MP	Eva Osborne	$ 46,655.00	$ -	■	■	■	■	■	Arthur Weinman	Arthur Weinman
Hutchinson	10MP	Eva Osborne	$ 50,000.00	$ 50,000.00	■	■	■	□	□	Barham & Associates	Michael Barham
Jefferson	10MP	Greta Wilhelm	$ 50,000.00	$ 50,000.00	■	■	■	■	■	LaBiche Architectural	Dohn LaBiche
Kimble	10MP	Tania Salgado	$ 45,625.00	$ 45,625.00	■	■	■	■	■	Hutson Gallagher	Chris Hutson
Kleberg	10MP	Tania Salgado	$ 49,500.00	$ 49,500.00	■	■	□	□	□	Komatsu Architecture	Vincent Ramírez
Limestone	10MP	Greta Wilhelm	$ 43,000.00	$ 43,000.00	■	■	■	□	□	Komatsu Architecture	Charlie Kearns
Mason	10MP	Eva Osborne	$ 50,000.00	$ 4,750.00	■	■	■	□	□	ArchiTexas Austin	Stan Graves
McLennan	10MP	James Malanaphy	$ 44,900.00	$ 44,900.00	■	■	■	■	□	ArchiTexas Dallas	David Chase
Randall	10MP	Eva Osborne	$ 50,000.00	$ 50,000.00	■	■	■	■	■	Hutson Gallagher	Chris Hutson
Robertson	10MP	Greta Wilhelm	$ 40,000.00	$ 40,000.00	■	■	□	□	□	ArchiTexas Dallas	Jay Firsching
Taylor	10MP	Eva Osborne	$ 20,000.00	$ -	■	■	■	■	■	ArchiTexas Austin	Stan Graves
Upshur	10MP	James Malanaphy	$ 50,000.00	$ 2,150.00	■	■	■	■	■	Komatsu Architecture	Gordon Marchant
Willacy	10MP	Tania Salgado	$ 50,000.00	$ 50,000.00	□	□	□	□	□	Limbacher & Godfrey	Laurie Limbacher
Wise	10MP	James Malanaphy	$ 50,000.00	$ 50,000.00	■	■	■	■	■	Komatsu Architecture	Gordon Marchant

Count: 25 **Awarded:** $1,144,980.00 **Remaining:** $991,325.00

Status Report for Round XI Full Restoration and Emergency Grant Projects

10/1/2020

	Pre-Construction							Construction							Post-Construction					
County & Round	Reviewer	Grant Award & Balance	Ack Form	Funding Agreement	Easement	Architect Contract	Construct Documents	NTP Bid	SAL Permit	Bid Period Start	Const Contract	NTP Contract	Construct Start	Work In Progress	Substantial Completion	Project Completion	Rededication	Architect	Contractor	Status Notes
Callahan 11 Full Restoration	Eva Osborne	$4,684,891.00 $4,684,891.00	☐	☐	☐	☐	☐	☐	☐		☐	☐		☐				Komatsu Architecture		Commissioners Court Approved Bond Election for November
Duval 11 Emergency Construction	Tania Salgado	$580,231.00 $580,231.00	☐	☐	☐	☐	☐	☐	☐		☐	☐		☐				Architexas (Austin)		Judge Saenz requested a supplemental grant for $340,863 to add to the original emergency scope of work with a local match (30%) of $146,084. 09/29/2020
Lee 11 Emergency Construction	Greta Wilhelm	$1,970,149.00 $1,970,149.00	☐	☐	☐	☐	☐	☐	☐		☐	☐		☐				Hutson Gallagher		4 week extension has been approved for Funding Agreement & attachments.
Mason 11 Full Restoration	Greta Wilhelm	$4,140,119.00 $4,140,119.00	☐	■	☐	☐	☐	☐	☐		☐	☐		☐				Architexas (Austin)		Funding Agreement ready for THC signature.
Taylor 11 Full Restoration	Eva Osborne	$5,980,000.00 $5,980,000.00	☐	■	☐	☐	☐	☐	☐		☐	☐		☐				Architexas (Austin)		Funding Agreement Extension Request Approved

Count: 5 **Total Funds Awarded: $17,355,390** **Funds Remaining: $17,355,390**

Status Report for Round XI Planning Grant Projects

County	Reviewer	Grant Award	Remaining	Agreement	Easement	Contract	Schematic	Design	65%	95%	Architect
Kimble 11 Planning	Tania Salgado	$ 378,489.00	$ 378,489.00	☐	☐	☐	☐	☐	☐	☐	Hutson Gallagher
Washington 11 Planning	Greta Wilhelm	$ 713,130.00	$ 713,130.00	☐	☐	☐	☐	☐	☐	☐	Architexas (Austin)
Willacy 11 Planning	Tania Salgado	$ 803,359.00	$ 803,359.00	■	☐	☐	☐	☐	☐	☐	Limbacher & Godfrey Architects
Wise 11 Planning	James Malanaphy	$ 787,753.00	$ 787,753.00	■	☐	☐	☐	☐	☐	☐	Komatsu Architecture

Count: 4 **Total Funds Awarded: $2,682,731.00** **Funds Remaining: $2,682,731.00**

Count:
9
Total Funds Awarded:
$20,038,121.00

Funds Remaining:
$20,038,121.00

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Second and Main Lofts c.1898/1930

Taylor • Williamson County • Texas

History

These two inter-connected commercial buildings in the heart of downtown Taylor have housed a variety of functions over the course of many decades, including a harness shop, a tin shop, an auto repair shop, and a pool hall. The Victorian-style building to the south was constructed around 1898 as an addition to an earlier building, which was later demolished and replaced by the simpler brick building to the north—constructed around 1930. After Taylor's early days as a hub of shipping and commerce, the city fell on hard times in the latter part of the twentieth century. These two buildings had been vacant for some time and had become quite dilapidated by the time the current owner began the project in 2018.

Rehabilitation Project

At the outset, these buildings were desperately in need of repair. The north building had sustained long-term water damage from ongoing roof leaks, the windows on the second floor were unsalvageable, and the storefronts at the first floor were infilled with glass block and plywood. The south building had structural issues that were causing its façade to crack and buckle outward, the storefront windows were missing, and you could see sunlight through the floors. The comprehensive rehabilitation included structural repairs, new roofs, all new systems, and custom replacement windows that matched the historic designs. Great care was taken to replicate the unique green glazed tile where needed to patch the facade of the north building, and to recreate the colorful stained glass transoms from remnants found above the storefronts at the south building. The property was transformed to house a series of loft apartments, live/work units, and one retail unit – all of which bring new vibrancy to a formerly vacant corner of downtown.

DESIGNATION: Listed in National Register of Historic Places as part of Taylor Downtown Historic District

HISTORIC USE: Commercial

CURRENT USE: Loft apartments and retail

CERTIFIED: July 30, 2020

CONTACT: 2nd and Main Lofts, LLC; Douglas Moss; Public Sketch, LLC

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Buffalo Soldiers National Museum 1925

Houston • Harris County • Texas

History

The Houston Light Guard Armory was designed by renowned Houston architect Alfred C. Finn. The Houston Light Guard was a local militia organized in April 1873, and included many elite Houstonians and former Civil War veterans. The Guard's services were used for crowd control during local disturbances, but also served in posts outside of Houston, including mobilizing to Cuba during the Spanish-American War in 1898, to Galveston in the wake of the 1900 hurricane, and to France during World War I. When this armory was completed in 1925, the Guard relocated here from downtown Houston. They only occupied it for 14 years, after which it was owned by the Texas Army National Guard from 1939 to 1991. The Houston Community College System purchased the now-deteriorated building with a plan to convert it to a library, but the building remained vacant. Other failed plans followed. The City of Houston then owned the building from 2001 to 2009.

Rehabilitation Project

The armory was purchased in 2009 by the Buffalo Soldiers Museum, a non-profit group dedicated to the history of African-American military units. The grand brick building had suffered serious deterioration over its decades of vacancy, and required a full rehabilitation. The first phases of the project took almost ten years to complete, and included: restoration and selective replacement of historic windows; repair to the exterior brick, cast stone, and balconies; major repair work to flooring and plaster walls; reconstruction and expansion of the main hall mezzanine; installation of elevators and lifts for ADA access; and all new mechanical systems. The ground level now serves as a military museum—a wonderfully fitting use for this historic armory.

DESIGNATION: Recorded Texas Historic Landmark

HISTORIC USE: Armory

CURRENT USE: Museum, event space

TOTAL COST: $4,194,102

QUALIFIED EXPENSES: $4,179,034

CERTIFIED: August 21, 2020

CONTACT: Buffalo Soldiers National Museum, Desmond Bertrand-Pitts, Stennis LeNoir, Architect

Certified for state tax credits only.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION

REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Building 21 1949

Houston • Harris County • Texas

History

W-K-M Company, Incorporated was founded in 1919 by Clint F. Williams, L.O. Koen, and Fred McManis, and is part of Texas's great oil and gas heritage. The company is best known for their precedent-setting pipe cleaning and coating machines, rotary slips, and high-pressure valves essential for oil and gas wells. These patented designs have been in use throughout the country and worldwide. Government contracts during World War II bolstered their business, and their Houston campus expanded considerably in the 1940s. This building, constructed in 1949, was the last and one of the largest buildings built on campus. It housed large-scale manufacturing operations and fronted directly on the railroad tracks for shipping purposes. The company relocated and sold this campus when they were acquired in 1957, but the W-K-M brand continues into the present as a trademarked line of products under the Schlumberger company.

Rehabilitation Project

Building 21 is typical of a mid-century modern factory, with clean lines and a simple rectilinear form. As part of the design, it has a flat roof, which at the beginning of the project was topped with a failing modified bitumen membrane system. The roof and flashing had reached the end of their service life, and were leaking significantly in heavy rains. The main work item in this project was to install a new modified-bitumen membrane roof and associated flashing, which for a 25,000-square-foot building is no small feat. During the course of the roof work, it was discovered that the building's exhaust fan system also needed repairs and replacements, which were completed as part of the overall maintenance project that was certified for state tax credits.

DESIGNATION: Listed in National Register as part of W-K-M Company, Inc. Historic District

HISTORIC USE: Light industrial

CURRENT USE: Light industrial

CERTIFIED: June 29, 2020

CONTACT: SWCA Environmental Consultants, Roberts Industrial Center Inc.

Certified for state tax credits only.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION

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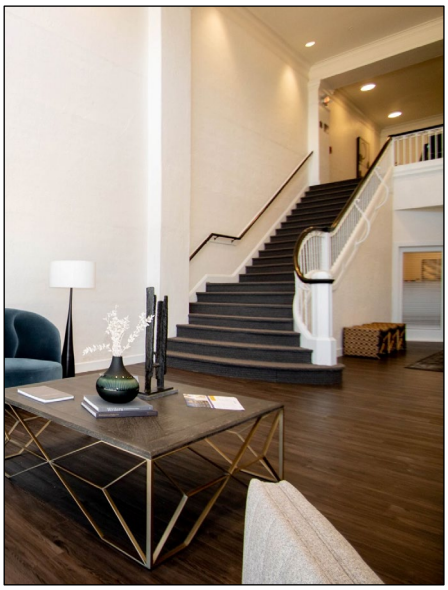
TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



W.A. Freear Furniture Co./ Maskat Shrine Temple 1929

Wichita Falls • Wichita County • Texas

History

The Freear Building/Maskat Shrine, was constructed in 1929 as headquarters for the W.A. Freear Furniture Company. Designed by local architects Voelcker and Dixon, the building exhibits a mix of classical and art deco styles. Interior spaces were large, and open, to accommodate changing displays. The furniture company moved after less than 20 years, to another location downtown. After serving as a USO during World War II, the building because the long-time home of the Maskat Shrine. Minor modifications were made to the building to support the fraternal organization, though they also made of the open floors for shrine purposes and public dances. The building was abandoned in the 1990s.

Rehabilitation Project

Little historic fabric remained in the building, apart from a grand staircase between the first and second floors, and some plaster-ornamented columns and beams. A large retail area was retained on the first floor but most of the building has been subdivided for apartments, which serve qualifying seniors as affordable housing. The grand staircase now serves as a memorable entrance for the apartments. The new apartments take advantage of the large unique windows on the street facades, which were fully restored. A new blade sign and storefront awnings were added to the exterior of the building, based on historic images.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: Retail, warehouse, offices, fraternal society

CURRENT USE: Senior apartments, retail

CERTIFIED: June 19, 2020

CONTACT: Overland Property Group, Jones Gillam Renz Architects, MCP Build, Corlett, Probst & Boyd PLLC, Post Oak Preservation Solutions

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Magnolia Building 1925

Dallas • Dallas County • Texas

History

Constructed in 1922 as headquarters for the Magnolia Petroleum Company, the Magnolia Building was one of Dallas's early skyscrapers and its tallest building for decades. Its design, by local architecture firm Lang and Witchell, is influenced by New York City's Equitable Building with a tall, U-shaped tower set on a solid, rectangular base. A large arched connector spans the open end of the tower at the 17th floor. The Magnolia Petroleum Company, which later became Mobil Oil was known for its flying red horse logo, and, in 1934, added a thirty-foot tall, spinning version in red neon to the building's roof. The Pegasus subsequently became a symbol for the city of Dallas.

Rehabilitation Project

The overall building was sensitively rehabilitated into a hotel in 2000, using historic tax credits. The current project focused only on a small, full-height addition made to one side of the building in 1938. The original structure is clad in limestone, while this 'mini-wing' was clad in cast stone, with decorative bands to match the original building. The cast stone panels have cracked and spalled over the years creating dangerous street conditions and allowing for moisture infiltration, which has led to failure of the original attachments. All veneer materials were fully removed and replaced in-kind, with new sheathing and a modern attachment system. Original decorative banding pieces were unfortunately too deteriorated to reinstall, but were used to create molds for new pieces.

DESIGNATION: Individually listed in the National Register of Historic Places; contributing resource to the Dallas Downtown Historic District

HISTORIC USE: Offices

CURRENT USE: Hotel

CERTIFIED: September 4, 2020

CONTACT: Magnolia Hotel Dallas, Holtze Magnolia, LLLP, MacRostie Historic Advisors

Certified for state tax credits only.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Moye Retreat Center 1925

Castroville • Medina County • Texas

History

The Moye Retreat Center is a complex of five buildings that includes a church, constructed in 1846, that serves as an example of Alsatian architecture found in Castroville. A retreat house and retreat center were added to the site in 1870 and 1873, respectively, and housed services including housing, classrooms, and the convent. The Sisters of Divine Providence moved the majority of the congregation to San Antonio in 1896, and much of the property was used for schooling uses and housing members of other religious institutions or women considering becoming vowed members. Since 1895 it has served as a retreat center.

Rehabilitation Project

Over the course of its many uses, the Moye Retreat Center has sustained wear and tear from consistent use. Recently storm damage has also damaged several of the metal roofs on the complex. New roofs were installed as part of this project, with care to make sure flashing and sealants were all correctly installed. Additionally, the first church suffered some damage to the stone gables that required reconstruction. Fortunately, the original material was salvaged and put back. Finally, air conditioning units serving the complex were replaced with units that could more adequately serve the retreat center.

DESIGNATION: Listed in National Register as part of Castroville Historic District

HISTORIC USE: Church, convent, retreat center

CURRENT USE: Retreat center

CERTIFIED: August 6, 2020

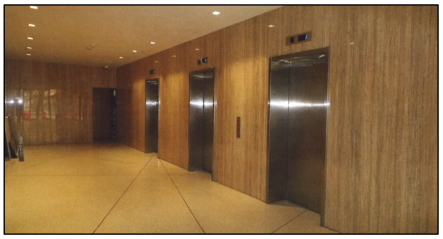
CONTACT: Congregation of Divine Providence; Ann McGlone, Post Oak Preservation Solutions

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Sanger Brothers Building 1925

Fort Worth • Tarrant County • Texas

History

Although it is called the Sanger Brothers Department Store, that store, for which the building was originally constructed, occupied this classic Chicago-style building in downtown Fort Worth for only a year. The building is best known locally as the home of Meacham's Department Store, which occupied the building for nearly 30 years, following another local department store. As Meacham's the building was known for its modernistic interiors, although, unfortunately, these were lost in later renovations. Though Meacham's worked hard to adapt to cultural changes, notably opening up a women's career shop in the 1950s, by 1971, changes in downtown forced its closure. The building has since been used as offices and restaurant space.

Rehabilitation Project

During the current rehabilitation, the exterior of the building was largely restored. Simple, non-historic, aluminum framed windows were removed and replaced with new windows to match the historic, including decorative mullions and multi-light casement windows at the mezzanine level. Storefront were also replaced with new awnings and canopies custom-made to reference the original designs. These elements make the simple masonry among the building's downtown neighbors. Unfortunately, little historic fabric remained on the interior, although this provides flexibility. The first floor has been adapted for use as a chain pharmacy. Upper floors are a mix of lease office spaces and data storage centers. Lobbies have been updated with new finishes that are simple but in keeping with the building's character.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: Department store, offices

CURRENT USE: Retail pharmacy, offices, data storage center

CERTIFIED: June 26, 2020

CONTACT: Fossil Creek Land Partners, Inc; Merriman Anderson Architects; Heritage Consulting Group

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION

REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Singer Sewing Machine Company 1935

Dallas • Dallas County • Texas

History

This Classical Revival style building in downtown Dallas was constructed to serve as a dedicated retail outlet for Singer, the well-known manufacturer of sewing machines. The first floor was originally a showroom and hemming room, the second floor served as a sewing classroom, and the third floor housed the district offices for the Singer Company. The concrete building had simple plaster surfaces on the interior, but the exterior is stylish and decorative. Architect George Dahl created a refined limestone façade with recessed panels, a stone cornice with dentils, and a parapet with turned stone balusters. The original steel casement windows are still intact, and feature wrought iron guardrails.

Rehabilitation Project

The Singer Sewing Machine Company Building is the core of the Mid-Elm Lofts, a development project that interconnects three adjacent former retail buildings along Elm Street (the W.A. Green Building, the Singer Building, and 1512 Elm Street). All three buildings had experienced neglect in the last decades, and their small size made them at risk for demolition in the heart of downtown Dallas. The developers' solution was to join the three buildings by creating a corridor that runs through the Singer Building and establishing one central circulation core. The buildings had different floor heights, so they were joined by ramps. The Singer Building now contains four loft apartments, a ground floor retail space, and the elevator and stair that serve the whole complex. Interior plaster surface finishes and hidden mechanical systems are respectful of the historic design of the building. The original storefront was long gone, but the developers worked to create a new simple metal storefront that is compatible with the building.

DESIGNATION: Listed in National Register of Historic Places as part of Dallas Downtown Historic District

HISTORIC USE: Retail and commercial spaces

CURRENT USE: Retail and residential spaces

CERTIFIED: June 5, 2020

CONTACT: Brytar, Inc; Azteca Enterprises, Inc.; Architexas

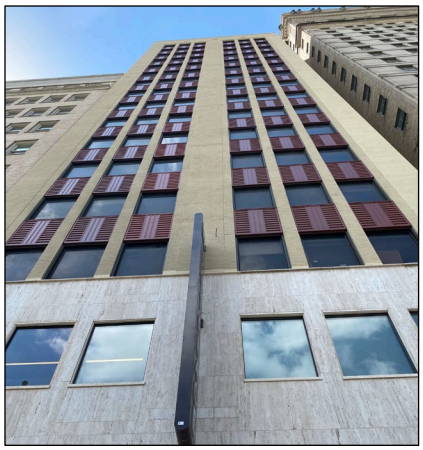
Also certified for federal tax credits.

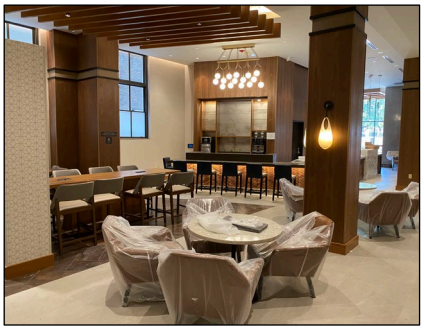
For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM





Southwestern Bell Telephone Company Building 1950

Houston • Harris County • Texas

History

The original Southwestern Bell Capitol Main Office building (1912) served all of the main functions of the telephone company, including switchboard operations and offices for business, administration, and customer service. After World War II, the company's service needs for the Houston area expanded, and this sixteen-story Moderne office tower was constructed as an annex to the original building (designed by J. Russ Baty, well-known local architect). Interestingly, the two buildings front on different streets as they are only connected at the rear. The new building housed offices from various departments as overflow space from the main building. Although the main building now houses switchboards and fiber optic cabling, the annex remained mostly free from those uses, other than an area on the second floor that is occupied with AT&T conduit and cabling that is still in use today.

Rehabilitation Project

The annex building retained most of its original character on the façade, although the windows had been replaced and the lower two stories had been clad in marble sometime in the 1970s. The interior office spaces had been renovated numerous times by the telephone company, and the marble walls and terrazzo floors in the elevator lobby had been covered with later finishes. In converting the building to a hotel, project developers put in all new systems, filled the tired office floors with modern hotel rooms and guest amenities, and restored the main lobby to its original shine.

DESIGNATION: Individually listed in National Register of Historic Places

HISTORIC USE: Commercial offices

CURRENT USE: Hotel

TOTAL COST: $53,000,000

QUALIFIED EXPENSES: $38,000,000

CERTIFIED: August 24, 2020

CONTACT: Star Owner, LLC; Alecha Architecture; Excel Enterprises, Inc.; Heritage Consulting Group

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

Thomas Jefferson High School 1932

San Antonio • Bexar County • Texas

History

The construction of Thomas Jefferson High School was funded by a city school bond and built in concert with the Works Progress Administration. Sitting on 30+ acres, the expansive school was designed in an elaborate Spanish-Moorish style and featured carved columns, decorative tile and wrought iron, cast stone flourishes, and a silver-domed tower. The school cost more than $1,250,000 to build, an extravagance that was criticized at the height of the Great Depression. When it opened, Jefferson High School held standard classes in history and math, but also offered courses in manners, dancing, and radio broadcasting. In 1937 it was named the best high school in America, and has frequently recognized for its academic excellence since.

Rehabilitation Project

This project is the first phase of a comprehensive renovation plan for the entire school campus. In this rehabilitation of the Large Gym, the subfloor foundation system was reinforced by installing structural concrete micro-pilings underneath the existing structure to reinforce and stabilize the system, which had been suffering from cracking and settlement. When the maple gymnasium floor was taken up to perform the structural work, it was replaced in kind with a matching wood product that provides better ergonomic performance. The wood bleacher benches, the scoreboards, and the lighting and HVAC in the gym were replaced. The locker rooms, restrooms, and classrooms at the lower level were also completely renovated.

DESIGNATION: Individually listed in National Register of Historic Places

HISTORIC USE: High School

CURRENT USE: High School

TOTAL COST: $12,510,270

QUALIFIED EXPENSES: $12,510,270

CERTIFIED: July 3, 2020

CONTACT: Perkins + Will, Barlett-Cocke General Contractors, Post Oak Preservation Solutions

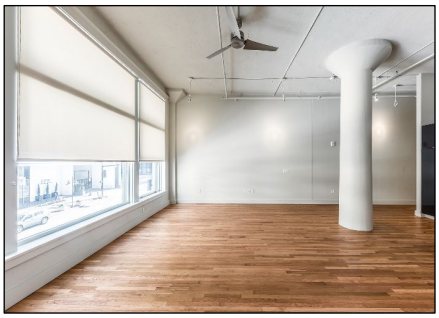
For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION

REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



W.A. Green Building 1913

Dallas • Dallas County • Texas

History

This building was constructed to provide a new, larger location for the successful W.A. Green & Company department store. The five-story concrete and brick building was designed in a cutting-edge style by prominent local architects Lang & Witchell, and the structure was designed to carry up to seven additional floors for future expansion – which were never built. W.A. Green's new department store featured large modern openings, elaborate display windows at the ground level, and high-capacity elevators in fireproof shafts. The department store operated in this location for 17 years, after which the building was home to a series of other retailers.

Rehabilitation Project

This long-running rehabilitation project was launched in 2012, and re-envisioned the W.A. Green Building as the anchor of an interconnected apartment complex that includes its two smaller neighbors to the west: the Singer Sewing Machine Company Building and the adjacent building at 1512 Elm Street. The concrete W.A. Green Building was structurally sound, but the façade required cleaning and repairs, and the first two stories of its façade had been covered in a solid stone veneer, which was removed as part of this project to reopen the original windows. Vertical circulation for the complex is provided by an external elevator that hugs the side of the W.A. Green Building. Reviewers worked extensively with the developer to ensure this elevator and the new rooftop amenities atop this building were visually unobtrusive from the street. The original warehouse-style columns on the interior provide an appealing character in the apartments, and the expansive original windows were retrofitted with laminated glass for modern comfort.

DESIGNATION: Listed in National Register of Historic Places as part of Dallas Downtown Historic District

HISTORIC USE: Retail and commercial space

CURRENT USE: Retail and residential

CERTIFIED: June 5, 2020

CONTACT: Brytar, Inc; Azteca Enterprises, Inc.; Architexas

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

Item 9.2
Texas Historical Commission
October Quarterly Meeting
October 27-28, 2020

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

Background:
Preservation projects involve a certain degree of uncertainty and unexpected conditions may arise during a project. These newly discovered or unanticipated conditions typically have an adverse impact on project budgets. The THC may discuss one or more courthouse projects that this situation applies to and consider supplemental awards to those counties. At other times, a courthouse project may not utilize all the grant funds originally awarded for the project. If this occurs, the THC will formally adjust the grant award to reflect the recapture.

This is a standing agenda item for the Commission to consider at each quarterly meeting. The Commission will consider the following supplemental funding awards and/or recapture of funds:

A) Duval County Courthouse
Duval County received a Round XI Emergency Grant in the amount of $580,231.00 with a 30% match from the county in the amount of $248,671 to replace a dangerous electrical panel and the most corroded steel lintels at the lower level of the building. Upon further investigation by an engineer, the architect is recommending replacement of all the steel window lintels in order to stabilize the masonry walls of this extremely endangered building. This expanded scope requires full scaffolding of the building, and supplemental funding in the amount of $340,863 which would require an additional $146,084 match from the county. A letter from the Duval County Judge Gilbert Saenz and a cost estimate for the expanded scope of work is attached as complementary documentation to support this request.

B) Mason County Courthouse
Mason County received a Round X Master Plan Update Grant in the amount of $50,000 with a required match of $5,000. The county's consultant completed its master plan update, and the county submitted its final reimbursement request for $45,150.20 on July 17, 2020, leaving a remaining balance of $4,749.80 for recapture.

C) Refugio County Courthouse
Following Hurricane Harvey, Refugio County received a Round X emergency planning grant in the amount of $863,000 to complete architectural plans & specifications for a full restoration, which includes $413,000 in supplemental funding that was awarded as part of a blanket set of supplemental funding approved at the October 2018 Quarterly Meeting. Refugio County decided on June 15, 2020 that they would not accept the grant funding, due to concerns over acquiring the required $2,453,858 match for a future construction grant. Refugio County never signed a Funding Agreement which was due on August 27, 2018, so an official recapture is not required, but including this item in the motion acts as record of the return of $863,000.

Suggested Motion:
Move to approve recapture of funds from and/or supplementary funding to previously awarded projects as follows:

1) Grant supplemental funding to Duval County in the amount of $340,863 with a required 30% match of $146,084; and

2) Recapture from Mason County in the amount of $4,749.80; and

3) Recapture from Refugio County in the amount of $863,000.

Office of the Duval County Judge
Duval County Courthouse
Post Office Box 189
400 East Gravis Avenue
San Diego, Texas 78384

Gilbert N. Saenz,
Duval County Judge

(telephone) 361.279.6204
(facsimile) 361.279.6243
gsaenz@co.duval.tx.us

September 29, 2020

Susan Tietz, AIA
Program Coordinator, Courthouse Preservation Program
Division of Architecture
P.O. Box 12276, Austin, Texas 78711-2276
Phone: 512 463 5860
Susan.Tietz@thc.texas.gov

RE: Request for Supplemental THC Grant Funding for Duval County Courthouse

Dear Ms. Tietz:

Upon further investigation and examination of the Courthouse's ominous and portentous condition, our team of Architects and Engineers strenuously recommends an adjusted, more critical approach to preserving the courthouse. Thus, we are compelled to respectfully request additional funding to expand the scope of emergency work.

The County understands that some additional grant funding may be available to supplement the Round XI Emergency Grant Funds which were recently awarded to our county. Based upon this additional investigation as documented in the attached updated budget, Duval County respectfully requests up to $340,863 in additional grant funds to be matched by $146,084 in additional County contributions. This will allow most of the seriously damaged lintels to be addressed along with additional electrical repairs to correct dangerous code deficiencies, and includes tackling life safety issues associated with connections to the existing exterior mechanical units. There is a serious and valid concern that the longer these issues persist, the more likely they jeopardize any future attempts to preserve the integrity of the Courthouse.

Thank you for your careful consideration. Please let me know should there may be any additional information that we can provide to support this urgent request.

Sincerely,

Gilbert N. Saenz,
County Judge

GNS:sds

Enclosures: Emergency Supplement Cost Estimate

PROJECT COST ESTIMATE - EMERGENCY & SUPPLIMENTAL GRANT

Duval County Courthouse - Drainage, Structural, & Electrical Work

NO.	ITEM	QUANTITY	UNIT	UNIT COST	SUBTOTAL	COST/SECT
01000	GENERAL REQUIREMENTS (15% Total Construction Cost)				122,280	122,280
	A. Project Management					
	B. Field Personnel					
	C. Construction Documents / Printing					
	D. Quality Control					
	E. Temporary Utilities					
	F. Construction Facilities					
	G. Bond & Insurance					
	H. Temporary Construction					
	1. Scaffolding (Full height at building perimeter; limited at south façade)	1	L.S.		130,000	130,000
	2. Project sign					
	3. Barrier fencing (Staging area, protection, etc…)					
	I. Materials Testing					
02000	SITE WORK					72,764
	B. Exterior Demolition & Hauling					
	3. Removal tile flooring & setting bed at north portico to expose original concrete finish	361	S.F.	3.50	1,264	
	4. Demo interior gypsum block walls at east stairwell	800	S.F.	2.50	2,000	
	C. Utilities					
	1. Plumbing upgrades - replace misc. water lines, storm drains	1	L.S.	37,500.00	37,500	
	2. Electrical updgrades	1	L.S.	12,000.00	12,000	
	D. Earthwork & Grading					
	1. Modify exist. Site drainage to direct water away from building and regrade perimeter of building to slope away from foundation	1	L.S.	20,000.00	20,000	
03000	CONCRETE					15,000
	A. Structural Repairs and Modifications					
	1. Repair damage concrete & exposed re-bar at underside of 1st floor slab at north , south, & east entries, & at north side of connector	1	L.S.	15,000.00	15,000	
04000	MASONRY					189,424
	A. General Exterior Restoration 1916 Courthouse					
	1. Remove paint and coatings from stone masonry at building base	1,254	L.F.	5.00	6,270	
	2. Chemically clean stone and brick masonry façade, basement level only	3,317	S.F.	4.00	13,268	
	3. Repoint brick & stone masonry joints 100% at basement level only	3,317	L.F.	8.00	26,536	
	4. Critical stone masonry repair above east entry doors	1	L.S.	7,500.00	7,500	
	5. Remove/reinstall brick masonry at replacement steel lintels, basement level only & 1st floor east & west entries (Scope modified, see below)	18	Ea.			
	a. Critical	24	Ea.	2,200.00	52,800	
	b. Replace within 2-5 years	12	Ea.	2,200.00	26,400	
	c. Replace within 10 years (South façade not addressed)	7	Ea.	2,200.00	15,400	
	6. Reconstruct outer wythes of brick at east & west wing walls & reset coping stones	2	Ea.	7,500.00	15,000	
	7. Replace damaged brick at window grilles	1	L.S.	6,600.00	6,600	
	8. Miscellaneous brick & stone masonry repairs, including removal of abandoned & embedded fasteners at basement level only	1	L.S.	8,350.00	8,350	
	10. Restore damaged & deteriorated cementious parge coat at base of building	1	L.S.	2,500.00	2,500	
	C. Structural repairs / modifications					

PROJECT COST ESTIMATE - EMERGENCY & SUPPLIMENTAL GRANT

Duval County Courthouse - Drainage, Structural, & Electrical Work

NO.	ITEM	QUANTITY	UNIT	UNIT COST	SUBTOTAL	COST/SECT
	3. Reconstruct east & west stairway walls with reinforced 6 inch CMU	800	S.F.	11.00	8,800	
05000	METALS					26,700
	A. Structural Elements (i.e. decking, framing, columns)					
	1. Replace steel lintels at exterior windows/doors & masonry openings	18	Ea.			
	a. Critical	24	Ea.	400.00	9,600	
	b. Replace within 2-5 years	12	Ea.	400.00	4,800	
	c. Replace within 10 Years (South façade not addressed)	7	Ea.	400.00	2,800	
	B. Non-structural Fabrications (stairways, ladders)					
	2. Restore steel grilles at windows	10	Ea.	750.00	7,500	
	3. At east & west entries remove & reinstall embedded steel railings, 1916 Courthouse	1	L.S.	2,000.00	2,000	
07000	THERMAL & MOISTURE PROTECTION					19,925
	A. Roofing & Flashing					
	(a) 1916 Building					
	(1) Sheet metal coping flashing at east & west entries	112	S.F.	12.00	1,344	
	2. Prep concrete & apply liquid waterproofing membrane to closely match appearance of original concrete finish at north, east, & west porticos (Kemper system or approved equal)	361	S.F.	21.00	7,581	
	B. Drainage System					
	1. Copper downspouts and straps, include splashblocks & conductor heads - 1916 Building	1	L.S.	11,000.00	11,000	
08000	DOOR & WINDOWS					94,500
	A. Exterior Doors					
	2. Restore paired entry doors, wood and glass - 1916 Building	2	Ea.	4,000.00	8,000	
	3. Hollow metal door at basement mechanical entrance - 1916 Building	1	Ea.	1,000.00	1,000	
	C. Exterior Windows					
	1. Restore/reconstruct exterior wood windows, includes painting, perim. Sealant at basement level only	33	Ea.	2,500.00	82,500	
	F. Hardware (installed)					
	1. Door Hardware	3	Ea.	1,000.00	3,000	
09000	FINISHES					13,932
	A. Ceilings					
	1. 1916 Building					
	(a) Restore exist. Plaster finish affected by waterproofing work	361	S.F.	12.00	4,332	
	B. Walls					
	1. 1916 Building					
	(a) Restore exist. Plaster finish affected by waterproofing work	800	S.F.	12.00	9,600	
16000	ELECTRICAL					252,957
	A. General Service & Distribution	1	L.S.	202,957.00	202,957	
	1. Electrical service, sub panels, & connection to panels					
	2. Address life safety issues associated with connections to the existing exterior mechanical units	1	L.S.	50,000.00	50,000	
	SUBTOTAL				937,482	937,482
	10% GC OVERHEAD & PROFIT					93,748
	TOTAL CONSTRUCTION (INCLUDES O & P)					1,031,230
	10% ESTIMATE CONTINGENCY					103,123
	ESTIMATED FINAL CONSTRUCTION COST					1,134,353

PROJECT COST ESTIMATE - EMERGENCY & SUPPLIMENTAL GRANT

Duval County Courthouse - Drainage, Structural, & Electrical Work

NO.	ITEM	QUANTITY	UNIT	UNIT COST	SUBTOTAL	COST/SECT
	16% AE FEES				181,496	181,496
	FINAL TOTAL CONSTRUCTION COST EMERGENCY GRANT					**1,315,849**

TEXAS HISTORICAL COMMISSION

Item 9.3
Texas Historical Commission
Quarterly Meeting
October 27-28, 2020

Consider approval of filing authorization of proposed amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 17, State Architectural Programs, Section 17.2 related to Review of Work on County Courthouses for first publication in the *Texas Register*

Background:
The proposed amendment adds a definition of monuments to the rule that governs Section 442.008, Review of Work on County Courthouses, and refers to a proposed rule in Chapter 21 that outlines a new process for relocating or removing monuments over which that the Texas Historical Commission has review authority. Currently, Section 17.2 does not include a definition of monuments or outline a process for relocation or removing monuments from courthouse squares.

The first publication will take place after approval by the Commission. There is a 30-day comment period following the publication, therefore changes approved by the Commission for this meeting will come back for final approval and second publication at the February 2021 meeting.

Suggested Motion:

Move to authorize filing of the proposed amendment to the Texas Administrative Code, Title 13, Part 2, Chapter 17, State Architectural Programs, Section 17.2 related to Review of Work on County Courthouses for first publication in the *Texas Register*

Texas Administrative Code
Title 13 Cultural Resources
Part 2 Texas Historical Commission
Chapter 17 State Architectural Programs
Rule §17.2 Review of Work on County Courthouses, Texas Government Code, Chapter 442, §442.008, requires that the Texas Historical Commission review changes made to courthouse structures.

PREAMBLE

The Texas Historical Commission (Commission) proposes amendments to Section 17.2, relating to the Review of Work on County Courthouses, Title 13, Part 2, Chapter 17 of the Texas Administrative Code.

Section 17.2 outlines the definitions and the rules related to Texas Government Code Section 442.008, Review of Work on County Courthouses. The rules detail the process for reviewing work on county courthouses but does not currently include a definition of monument or outline a process for relocating or removing monuments from the protected courthouse square.

The proposed amendment will add a definition that clarifies what the Commission considers a monument and refers to a proposed rule Section 21.13 in Chapter 21 that details a process for relocating or removing monuments that the Commission has the authority to protect.

FISCAL NOTE. Mark Wolfe, Executive Director, has determined that for each of the first five-years the proposed amendments are in effect, there will not be a fiscal impact on state or local government as a result of enforcing or administering these amendments, as proposed. The proposed amendments allow the Commission to close inactive applications for tax credits under defined circumstances. Because the closure of an application does not ultimately affect whether the applicant may obtain the tax credit, there will be no impact on state or local governments.

PUBLIC BENEFIT/COST NOTE. Mr. Wolfe has also determined that for the first five-year period the amended rules are in effect, the public benefit will be a more clearly defined process for the handling of applications.

ECONOMIC COSTS TO PERSONS AND IMPACT ON LOCAL EMPLOYMENT. There are no anticipated economic costs to persons who are required to comply with the amendments to these rules, as proposed. There is no effect on local economy for the first five years that the proposed new section is in effect; therefore, no local employment impact statement is required under Texas Government Code, § 2001.022 and 2001.024(a)(6).

COSTS TO REGULATED PERSONS. The proposed new section does not impose a cost on regulated persons, including another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, § 2001.0045.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS FOR SMALL BUSINESSES, MICROBUSINESSES, AND RURAL COMMUNITIES. Mr. Wolfe has also determined that there will be no impact on rural communities, small businesses, or micro-businesses as a result of implementing these amendments and therefore no regulatory flexibility analysis, as specified in Texas Government Code § 2006.002, is required. Because the proposed amendments only allow for the administrative closure of pending applications, the amendments do not affect any applicant's ability to receive tax credits. Accordingly, there should be no impact to rural communities, small businesses, or micro-businesses.

GOVERNMENT GROWTH IMPACT STATEMENT. During the first five years that the amendments would be in effect, the proposed amendments: will not create or eliminate a government program; will not result in the addition or reduction of employees; will not require an increase or decrease in future legislative appropriations; will not lead to an increase or decrease in fees paid to a state agency; will not create a new regulation; will not repeal an existing regulation; and will not result in an increase or decrease in the number of individuals subject to the rule. During the first five years that the amendments would be in effect, the proposed amendments will not positively or adversely affect the Texas economy.

TAKINGS IMPACT ASSESSMENT. THC has determined that no private real property interests are affected by this proposal and the proposal does not restrict or limit an owner's right to his or her property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking under Texas Government Code, § 2007.043.

REQUEST FOR PUBLIC COMMENT. Comments on the proposed amendments may be submitted to Mark Wolfe, Executive Director, Texas Historical Commission, P.O. Box 12276, Austin, Texas 78711. Comments will be accepted for 30 days after publication in the *Texas Register*.

STATUTORY AUTHORITY AND STATEMENT ON AUTHORITY. These amendments are proposed under the authority of Texas Government Code § 442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission and the Texas Tax Code § 171.909, which requires the Commission to adopt rules for the implementation of the rehabilitation tax credit program. The Commission interprets Texas Tax Code § 171.909 as an authorization to administer the rehabilitation tax credit program, which includes the administrative closure of applications that are inactive due to applicant inaction.

The Commission hereby certifies that the section as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

TITLE 13 **CULTURAL RESOURCES**

PART 2 **TEXAS HISTORICAL COMMISSION**

CHAPTER 17 **STATE ARCHITECTURAL PROGRAMS**

RULE §17.2 **Review of Work on County Courthouses Texas Government Code, Chapter 442, §442.008, requires that the Texas Historical Commission review changes made to courthouse structures.**

(1) Definitions. The following words and terms, when used in this section, shall have the following meaning, unless the context clearly indicates otherwise.

(A) Demolish--To remove, in whole or part. Demolition of historical or architectural integrity includes removal of historic architectural materials such as, but not limited to, materials in the following categories: site work, concrete, masonry, metals, carpentry, thermal and moisture protection, doors and windows, finishes, specialties, equipment, furnishings, special construction, conveying systems, mechanical and electrical.

(B) Sell--To give up (property) to another for money or other valuable consideration; this includes giving the property to avoid maintenance, repair, etc.

(C) Lease--To let a contract by which one conveys real estate, equipment, or facilities for a specified term and for a specified rent.

(D) Damage--To alter, in whole or part. Damage to historical or architectural integrity includes alterations of structural elements, decorative details, fixtures, and other material.

(E) Integrity--Refers to the physical condition and therefore the capacity of the resource to convey a sense of time and place or historic identity. Integrity is a quality that applies to location, design, setting, materials, and workmanship. It refers to the clarity of the historic identity possessed by a resource. In terms of architectural design, to have integrity means that a building still possesses much of its mass, scale, decoration, and so on, of either the period in which it was conceived and built, or the period in which it was adapted to a later style which has validity in its own rights as an expression of historical character or development. The question of whether or not a building possesses integrity is a question of the building's retention of sufficient fabric to be identifiable as a historic resource. For a building to possess integrity, its principal features must be sufficiently intact for its historic identity to be apparent. A building that is significant because of its historic association(s) must retain sufficient physical integrity to convey such association(s).

(F) Courthouse--The principal building(s) which houses county government offices and courts and its (their) surrounding site(s), including the courthouse square and its associated site features, such as hardscape, fences, lampposts and monuments. ~~(typically the courthouse square).~~

(G) Hardscape—Features built into a landscape made of hard materials such as wood, stone or concrete, such as but not limited to paved areas, roads, driveways, pools, fountains, concrete walkways, stairways, culverts or walls.

(H) Monuments--Includes markers and structures erected to commemorate or designate the importance of an event, person, or place, which may or may not be located at the sites they commemorate. Included in this category are certain markers erected by the commission and county historical commissions, and markers and statuary located on public grounds such as courthouse squares, parks, and the Capitol grounds.

~~(G)~~(I) Ordinary maintenance and repairs--Work performed to architectural or site materials which does not cause removal or alteration or concealment of that material.

(2) Procedure.

(A) Notice of alterations to county courthouse.

(i) A county may not demolish, sell, lease, or damage the historical or architectural integrity of any building that serves or has served as a county courthouse without notifying the commission of the intended action at least six months before the date on which it acts. Any alteration to the historical or architectural integrity of the exterior or interior requires notice to the commission.

(ii) If the commission determines that a courthouse has historical significance worthy of preservation, the commission shall notify the commissioners court of the county of that fact not later than the 30th day after the date on which the commission received notice from the county. A county may not demolish, sell, lease, or damage the historical or architectural integrity of a courthouse before the 180th day after the date on which it received notice from the commission. The commission shall cooperate with any interested person during the 180-day period to preserve the historical integrity of the courthouse.

(iii) A county proceeding with alterations to its courthouse in violation of Texas Government Code, §442.008 and this section may be subject to civil penalties under Texas Government Code, §442.011.

(iv) the relocation or removal of monuments from a courthouse square is governed by 13 TAC §21.13.

(B) Notice from the county to the commission. At least six months prior to the proposed work on a county courthouse, a letter from the county judge briefly describing the project should be submitted to the commission, along with construction documents, sketches or drawings which adequately describe the full scope of project work and photographs of the areas affected by the proposed changes.

(C) The commission will consider the opinions of interested parties with regard to the preservation of the courthouse per Texas Government Code, §442.008(b).

(D) Notice from the commission to the commissioner's court of the county. Written notice of the commission's determination regarding the historical significance of a courthouse for which work is proposed shall include comments pursuant to a review of the proposed work by the commission. Comments shall be made based on the Secretary of the Interior's Standards for the Treatment of Historic Properties 1992 or latest edition, which are summarized in clauses (i) - (iii) of this subparagraph:

(i) Definitions for historic preservation project treatment.

(I) Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

(II) Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

(III) Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

(IV) Reconstruction is defined as the act or process of depicting, by means of new construction, the form features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

(ii) General standards for historic preservation projects.

(I) A property shall be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property shall be protected and, if necessary, stabilized until additional work may be undertaken.

(II) The historic character of a property shall be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

(III) Each property shall be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features shall be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

(IV) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

(V) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(VI) The existing condition of historic features shall be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited

replacement of a distinctive feature, the new material shall match the old in composition, design, color, and texture.

(VII) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

(VIII) Archeological resources shall be protected and preserved in place to the extent possible. If such resources must be disturbed, mitigation measures shall be undertaken.

(iii) Specific standards for historic preservation projects. In conjunction with the eight general standards listed in clause (ii)(I) - (VIII) of this subparagraph, specific standards are to be used for each treatment type.

(I) Standards for rehabilitation.

(-a-) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

(-b-) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

(-c-) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.

(-d-) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

(-e-) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(-f-) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and where possible, materials, replacement of missing features shall be substantiated by documentary and physical evidence.

(-g-) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

(-h-) Archeological resources shall be protected and preserved in place to the extent possible. If such resources must be disturbed, mitigation measures shall be undertaken.

(-i-) New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(-j-) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(II) Standards for restoration.

(-a-) A property shall be used as it was historically or be given a new use which reflects the property's restoration period.

(-b-) Materials and features from the restoration period shall be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period shall not be undertaken.

(-c-) Each property shall be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features, from the restoration shall be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.

(-d-) Materials, features, spaces, and finishes that characterize other historical periods shall be documented prior to their alteration or removal.

(-e-) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period shall be preserved.

(-f-) Deteriorated features from the restoration period shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials.

(-g-) Replacement of missing features from the restoration period shall be substantiated by documentary and physical evidence. A false sense of history shall not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

(-h-) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

(-i-) Archeological resources affected by a project shall be protected and preserved in place to the extent possible. If such resources must be disturbed, mitigation measures shall be undertaken.

(-j-) Designs that were never executed historically shall not be constructed.

(III) Standards for reconstruction

(-a-) Reconstruction shall be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.

(-b-) Reconstruction of a landscape, building, structure, or object in its historic location shall be preceded by a thorough archeological investigation to identify and evaluate those features and

artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures shall be undertaken.

(-c-) Reconstruction shall include measures to preserve any remaining historic materials, features, and spatial relationships.

(-d-) Reconstruction shall be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property shall re-create the appearance of the non-surviving historic property in materials, design, color, and texture.

(-e-) A reconstruction shall be clearly identified as a contemporary re-creation.

(-f-) Designs that were never executed historically shall not be constructed.