



## Park Board of Trustees of the City of Galveston

9/27/2022 - Minutes

### I. Call Meeting To Order

The meeting was called to order at 1:30 p.m.

### II. Pledge Of Allegiance

The pledge was recited by those present.

### III. Swearing In Of New Ex-Officio - Michael Bouvier

Carla Cotropia administered the oath for Michael Bouvier.

### IV. Roll Call And Declaration Of A Quorum

Roll was called and a quorum declared .

Trustees Present: Marty Fluke, Will Wright, Dave Jacoby, Michael Bouvier, Kimberly Gaido, Jason Hardcastle, Spencer Priest and Jason Worthen.

### V. Conflict Of Interest Declarations

Jason Hardcastle and Jason Worthen both declared a conflict of interest for agenda item XIV.

### VI. Requests To Address The Board

Bill Hynek addressed the Board regarding the Helicopter Concession.

### VII. Recognition

#### A. Recognition Of Outgoing Ex-Officio - David Collins

Marty Fluke recognized and thanked outgoing Ex-Officio David Collins for his service on the Board.

#### B. Employee Spotlight - Chief Peter Davis (Susan Keeble, 5 Minutes)

Susan Keeble recognized Chief Peter Davis and reported that he began his career with Beach Patrol in 1983. She shared an overview of his almost 40 years of service on the beach not just in Galveston but nationally and internationally as chair and member of several life saving associations. Mrs. Keeble also reported that Chief Davis is celebrating his 15th year as a full time Park Board employee this month.

VIII. Cavalla Historical Foundation Presentation Of Battleship Texas Galveston Arrival Event (Brian Abugel, 5 Minutes)

Brian Abugel thanked the Park Board for the coordination of efforts with the Galveston Naval Museum for the Battleship Texas arrival in Galveston. He shared several pictures and videos that highlighted the success of the event.

IX. Open Public Hearing

The public hearing was opened at 1:46 p.m.

There were no comments.

X. Close Public Hearing

The public hearing was closed at 1:47 p.m.

XI. Administration

A. Discuss And Consider Approval Of Fiscal Year 2023 Operating And Capital Budget And Fiscal Year 2023 To 2027 Capital Improvement Plan (Bryson Frazier, 15 Minutes)

Bryson Frazier presented the the operating and capital budget and the 2023-2027 capital improvement plan. He reviewed the formatting changes made and highlighted many of the high level items that the Board and Committees reviewed and supported for the budget. Mr., Frazier shared that the Hotel Occupancy Tax value was set at \$2.7 million with the operating budget calculations using a \$2.5 million value and the remaining set aside for capital and special projects.

**Motion:** Dave Jacoby motioned to approve the FY2023 Budget and 2023-2023 Capital Improvement Plan.

**Second:** Spencer Priest seconded.

**Vote:** Approved (8-0).

B. Discuss And Consider Approval Of Committee Appointments (Marty Fluke, 10 Minutes)

**Motion:** Marty Fluke motioned to appoint the following to the Beach Maintenance Advisory Committee:

- Scientific/Educational – Virgie Greb- Doctoral Student - TAMUG
- Beach Related Business – Consultancy provider – Kyle Clark, T. Baker Smith
- Citizen at Large – Bob Bullwinkle
- Citizen at Large – Sharon Tirpak
- Volunteer Organization – Karla Klay – Artist Boat

**Second:** Jason Hardcastle

**Vote:** Approved (7-0-1, Worthen Abstained)

**Motion:** Marty Fluke motioned to appoint the following to the Parks and Amenities Committee:

- Citizen at Large – Sam Malchar
- Tourism Business – Randall Kopfer - STROAG

- Environmental/Historical/Conservation – Tony Pathyil – Vision Galveston
- Eco Tourism – Diane Olsen, Moody Gardens

**Second:** Spencer Priest seconded.

**Vote:** Approved (8-0).

**Motion:** Marty Fluke motioned to appoint the following to the Tourism Development Advisory Committee:

- Attraction at Large – Craig Corbell, CAC Entertainment
- Galveston Hotel and Lodging Association – Marty Miles – GH&LA
- Galveston Hotel and Lodging Association – Jeff Elkins – Moody Gardens
- Galveston Restaurant Association – James Clark – Mosquito Café/Patty Cakes
- Attraction Downtown – Monica Berry – Downtown Partnership
- Attraction Cultural – Sherrill Hilton – Galveston Island Film Festival
- Galveston Historical Foundation – Mark Scibinico – GHF

**Second:** Will Wright seconded.

**Vote:** Approved (8-0).

**Motion:** Marty Fluke motioned to appoint the following to the Workforce Development Committee:

- Galveston Independent School District – Jennifer Edenfield
- Texas A&M Galveston – Dan Kratz

**Second:** Jason Hardcastle seconded.

**Vote:** Approved (8-0).

- C. Discuss And Consider Approval Of The Second Addendum To The Interlocal Agreement With The City Of Galveston For The City Auditor To Perform Hotel Occupancy Tax Audits (Bryson Frazier, 5 Minutes)

Bryson Frazier reported that the original interlocal for the City Auditor to perform short term rental hotel occupancy tax audits was done in October 2019 with a recent addendum to the current interlocal agreement allowing for them to do these audits again. Mr, Frazier shared that the City Auditor has completed the initial 20 audits and staff is recommending a new addendum to have them continue these audits, adding hotels to the list. The addendum would allow for the audits to be completed at a cost not to exceed \$60,000.

**Motion:** Jason Hardcastle motioned to approve the second addendum for the hotel occupancy tax audits.

**Second:** Will Wright seconded.

**Vote:** Approved (8-0).

## XII. Tourism Development

- A. Discuss And Consider Approval Of Initial Funding For Island-Wide Wayfinding Program (Melody Smith, 10 Minutes)

Michael Woody explained that the wayfinding signage program is a top priority from the destination sustainability plan that was done jointly with the City. He reported that as required, the sealed bid process was done and ten responses were received. Mr. Woody stated that the task force developed by the Tourism Development Advisory Committee reviewed these and four of the ten submitted met all of the criteria listed. The group reviewed these four, had presentations done by the top two and, after checking their references, the group is recommending Corbin Design for this project.

**Motion:** Jason Hardcastle motioned to approve the first phase of this project in the amount of \$300,000 and the selection of Corbin Design.

**Second:** Will Wright seconded.

**Vote:** Approved (8-0)

B. Discuss Strategic Direction And Planning For July 4, 2023 Holiday Activities (Michael Woody, 15 Minutes)

Michael Woody shared that staff met with the City to discuss future holiday activations based on the record numbers that were in attendance this year. He shared the ideas that came from this discussion which included hosting the parade earlier in the morning and in downtown, encouraging more daytime activities, eliminating the free evening events and opening the opportunity to a private promoter, a July 3rd drone show downtown and bridging events from Juneteenth to July 4th. He asked the trustees for input so that staff could bring back options for approval so that planning can begin. Several trustees spoke in favor of moving the parade and a drone show downtown and having more daytime activities as well as the possibility of a private promoter. Mr. Woody will bring back to the Board a couple of options based on the input for their review and approval.

XIII. Consent

**Motion:** Spencer Priest motioned to approve consent agenda items A, C, and D.

**Second:** Dave Jacoby seconded.

**Vote:** Approved (7-0-1, Worthen abstained).

**Motion:** Jason Hardcastle motioned to defer consent agenda item B and for staff to bring back additional information on landscaping and enhancements.

**Second:** Marty Fluke seconded.

**Vote:** Approved (8-0).

- A. Discuss And Consider Approval Of Meeting Minutes (Schel Heydenburg)
- B. Discuss And Consider Approval To Co-Sponsor The 25th Street Lighting Project (Michael Woody/Bryson Frazier)
- C. Discuss And Consider Approval Of Fiscal Year 2022 External Audit Engagement Agreement (Bryson Frazier)
- D. Discuss And Consider Approval Of Fiscal Year 2022 June Unaudited Financial Statements (Bryson Frazier)

#### XIV. Executive Session

The meeting entered into executive session at 3:15 p.m.

*Note: Jason Hardcastle and Jason Worthen left the meeting.*

- A. Pursuant To Texas Government Code Section 551.071 - Consultation With Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under Texas Disciplinary Rules Of Professional Conduct Of The State Of Texas Clearly Conflicts With This Chapter - Legal Matters Concerning Litigation Cause # 22-CV-1472 Park Board For The City Of Galveston Vs GGPM LLC, Gulf Properties, Et Al

#### XV. Action Item (S) Resulting From Executive Session

The open meeting resumed at 4:05 p.m.

- A. Discuss And Consider Action For Any Executive Session Item Listed On The Meeting Agenda

**Motion:** Marty Fluke made a motion for the Park Board of Trustees to direct Mills Shirley to dismiss the existing litigation against Gulf Properties, Edward O'Rourke, Jason Worthen and the Saracco family.

**Second:** Spencer Priest seconded.

**Vote:** Approved (6-0, Hardcastle and Worthen not present at time of vote)

**Motion:** Marty Fluke made a motion that the Park Board of Trustees retain Hunton Andrews Kurth to investigate other avenues to require the State of Texas, and/or its agencies, to assert ownership of Babe's Beach and report back to the Board.

**Second:** Spencer Priest seconded.

**Vote:** Approved (6-0, Hardcastle and Worthen not present at time of vote)

#### XVI. Future Agenda Items

- Annual FEMA Receivable Update
- 25th Street Lighting Project
- Historic Seawall Vending

#### XVII. Announcements

Marty Fluke announced that Keri Heath is leaving the Galveston Daily News and Jose Mendiola will now be covering the Board meetings.

Bryson Frazier reported that the Park Board received a grant award from the Humanities Texas Group for the Juneteenth Town Hall.

Kelly De Schaun reported that she is now the immediate past chair of the Texas Travel Alliance Board and thanked the trustees for their support while she served.

The September talking points for the Board were distributed and Kelly de Schaun reviewed the topics which included a welcome to Council Member Mike Bouvier, National Night Out at Stewart Beach, Accessibility and the Babe's Beach litigation.

XVIII. Adjournment

Board meeting adjourned at 4:13 PM

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Schel Heydenburg  
Board Reporter

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Dave Jacoby  
Board Secretary