



**NOTICE OF REGULAR MEETING**  
**Park Board of Trustees of the City of Galveston**  
**Beach Maintenance Advisory Committee**  
**Friday, January 18, 2019 at 9:00 a.m.**  
**Park Board Plaza, Board Room - First Floor**  
**601 Tremont Street, Galveston, Texas 77550**

- I. Call Meeting To Order
- II. Pledge Of Allegiance
- III. Roll Call And Declaration Of A Quorum
- IV. Conflict Of Interest Declarations
- V. Requests To Address The Committee  
*The public shall be allowed to address the Committee regarding one or more agenda or non-agenda items. All requests to address the Board must be submitted in writing to the Board Reporter the day of the Board meeting. Each person shall be limited to three (3) minutes regardless of the number of items addressed.*
- VI. Discuss And Consider Approval Of Meeting Minutes  
Discuss and consider the December 21, 2018 meeting minutes.  
  
Documents:  
  
[BMAC 12\\_21\\_2018 - MINUTES.PDF](#)
- VII. Discuss And Consider Recommendations To The City Of Galveston On The Leave No Trace Ordinance (Reuben Trevino)  
  
Documents:  
  
[GALV CITY CLEAN BEACH- LEAVE NO TRACE ORD 2019.PDF](#)
- VIII. Discuss And Consider Recommended Comment To The USACE Regarding The Coastal Texas Protection And Restoration Feasibility Study And The Tentatively Selected Plan (Reuben Trevino)  
  
Documents:  
  
[TSP COMMENTS PB.PDF](#)
- IX. Future Agenda Items
- X. Announcements

XI. Adjournment

*I certify that the above Notice of Meeting was posted in a place convenient to the public, in accordance with Chapter 551 of the Texas government Code, on or before January 14, 2019 at 5:00 p.m.*

Approved

Dr. Victor Viser  
Chair, BMAC

Approved

Spencer Priest  
Chair, Park Board of Trustees

Approved as to Format

Kelly de Schaun  
Park Board Executive Director

**Please Note Members of the City Council may be attending and participating in the discussion.**

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding, contact the Park Board Administration

Office, 601 Tremont, Galveston Texas 77550 (409-797-5147)



**Park Board of Trustees of the City of Galveston  
Beach Maintenance Advisory Committee  
601 Tremont Street, Galveston, Texas 77550**

12/21/2018 - Minutes

I. Call Meeting To Order

The meeting was called to order at 9:03 a.m.

II. Pledge Of Allegiance

The pledge was recited by those present.

III. Roll Call And Declaration Of A Quorum

The roll was called and a quorum was declared.

**Committee Members Present:** Dr. Victor Viser, T'Noya Thompason, Craig Vance, Jerry Mohn, Lauren Desomeaux, Erik Tucker, Ron Gwin

**Committee Members Absent:** Jason Worthen, Ben Ritt, Rhonda Gregg-Hirsch, Peggy Zahler, Mary Warwick, Marie Robb

**Staff in Attendance:** Kelly de Schaun, Reuben Trevino, Beth Thornton

IV. Conflict Of Interest Declarations

No conflicts of interest were declared.

V. Requests To Address The Committee

There were no requests to address the committee.

VI. Discuss And Consider Approval Of Meeting Minutes

**Motion:** Jerry Mohn motioned to approve the October 19, 2018 meeting minutes.

**Second:** Craig Vance

**Vote:** Approved (7-0)

VII. Discuss The The Proposed Coastal Barrier System And Related Projects (Reuben Trevino)

Reuben Trevino introduced Dr. Kelly Burks-Copes, U.S. Army Corps of Engineers (USACE) and Diana Ramirez, Texas General Land Office (GLO). They gave a presentation on the Coastal Texas Protection and Restoration Feasaibility Study. The presentation and additional information are available at [coastalstudy.texas.gov](http://coastalstudy.texas.gov).

VIII. Urban Park Referendum Update (Reuben Trevino)

Reuben Trevino updated the Committee on the Seawall Urban Park Program and the upcoming referendum requesting changes in parking fees. The current program sunset is 2020 and the City of Galveston is being proactive on changes so if the referendum does not pass the first time, there

will be an opportunity to make changes to the referendum. Changes include a parking fee of \$2 an hour, \$16 for the day and \$45 for the annual pass. The parking revenue covers the cleaning, maintenance and amenities along the beach and seawall.

IX. Update On The Ad-Hoc Beach Access And Dune Committee (Jerry Mohn)

Reuben Trevino, Jerry Mohn and Dustin Henry presented information from the Beach Access and Dune Ad Hoc Committee.

X. Discuss The Draft Of The City Ordinance To Regulate Abandoned Canopies And Tents On The Beaches (Reuben Trevino)

Reuben Trevino stated this conversation started three months ago and has snowballed. As a result, the City of Galveston wants to pass an ordinance prohibiting canopies, tents, nets and other personal items from being left on the beach. Dustin stated this is complaint driven and is now referred to as "Leave No Trace."

XI. Future Agenda Items

- Final discussion and draft of the City of Galveston "Leave No Trace" ordinance

XII. Announcements

- After 12 years with the Park Board, Meg Winchester is leaving in mid-January. She has accepted a position as the CEO and President of Visit Spokane.

XIII. Adjournment

The meeting was adjourned at 10:48 a.m.

**ORDINANCE NO. 19-\_\_\_\_**

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED", CHAPTER 8, "BEACHES AND WATERWAYS"; TO ALLOW FOR REGULATIONS RELATED TO MAINTAINING A CLEAN BEACH AND PROMOTING ENVIRONMENTALLY CONSCIOUS CONDUCT BY BEACH USERS; PROVIDING FOR A PENALTY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, the City of Galveston recognizes the importance of its residents and visitors to Galveston to start the day with a clean beach, and end the day with a clean beach. Items of personal property left unattended on beaches can impede the public's right to use and enjoy the public beach, can be a hazard to other beach users or to the natural environment, possibly disturb natural dune areas, can be carried away by winds and tides and pollute the Gulf of Mexico; and,

**WHEREAS**, compliance with a clean beach ordinance, "Leave No Trace" will help to ensure a mutual respect by beach users of the beach, as well as a respect for the natural beach environment; and,

**WHEREAS**, the Beach Maintenance Advisory Committee (BMAC) is an advisory committee of the Park Board of Trustees and its' mission is to support the Galveston Park Board of Trustees on issues related to the restoration and preservation of Galveston Island beaches, including; long-term planning, maintenance, sustainability, attractiveness, funding, usage, and environmental concerns; and,

**WHEREAS**, BMAC has reviewed and recommends adoption of the "Leave No Trace" beach cleaning ordinance as substantially provided in Section 2 below; and,

**WHEREAS**, Staff recommends in its staff report, **Exhibit 1**, approval of amending "the Code of the City of Galveston 1982, as amended", Chapter 8, "Beaches and Waterways"; to allow for regulations related to maintaining a clean beach and promoting environmentally conscious conduct by beach users, and which may commonly be known as the "Leave No Trace" beach cleaning ordinance; and,

**WHEREAS**, after public notice and hearing as required by law, the City Council finds that it is in the public's interest to amend Chapter 8, "Beaches and Waterways"; to allow for regulations related to maintaining a clean beach and promoting environmentally conscious conduct by beach users, and which may commonly be known as the "Leave No Trace" beach cleaning ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:**

**SECTION 1.** The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**SECTION 2.** Chapter 8 “Beaches and Waterways” of “The Code of The City of Galveston 1982, as amended,” to read and provide for as follows:

Secs. 8-27—8-31.—Reserved. Leave No Trace

(a) **Definitions.** As used in this Chapter, the following terms shall have the meanings respectively ascribed to them in this section:

- (1) **Item of Personal Property** – includes, but is not limited to items such as canopies, shade structures, tents, umbrellas, chairs, towels, equipment, games, and coolers.
- (2) **Unattended** – refers to an item or items of personal property that are not supervised or looked after by a person.

(b) It shall be unlawful for any person to leave an item of personal property unattended on the public beaches or within the public beach access areas between the hour of sunset and sunrise on the following day, except as otherwise permitted.

(c) Any item of personal property left on the public beach or within public beach access areas in violation of this Section shall be deemed discarded by the owner, and shall be removed, destroyed, or otherwise disposed of, accordingly by the City of Galveston, the Park Board of Trustees, or their designees.

(d) In the confiscation and disposal of any such item under this Section, the City shall not be subject to any responsibility or liability to persons or damages to property caused by the confiscation or subsequent disposal of unattended items of personal property.

(e) **Exemptions.** The provisions of this Section shall not apply to personal property such as equipment and materials for use in the following circumstances when authorized by the City of Galveston, Galveston County, or a State or Federal government agency:

1. Coastal and beach projects, such as beach nourishment.
2. Academic and/or scientific research.
3. Life safety, disaster recovery, emergency management or response.

Secs. **8-28—8-31. - Reserved.**

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**SECTION 3** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and,

if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

**SECTION 4.** All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

**SECTION 5.** In accordance with the provisions of Section 12 and 13 of Article II of The City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

**SECTION 6.** This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of The Charter of the City of Galveston.

APPROVED AS TO FORM:

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DONNA M. FAIRWEATHER  
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the \_\_\_\_\_, 2019, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Secretary for the City Council  
of the City of Galveston

January 18, 2019

U.S. Army Corps of Engineers, Galveston District  
Attn: Ms. Jennifer Morgan, Environmental Compliance Branch, Regional Planning and  
Environmental Center  
P.O. Box 1229  
Galveston, TX 77553-1229

RE: Coastal Texas Protection & Restoration Feasibility Study and the Tentatively Selected Plan

Dear Ms. Morgan,

On behalf of the Park Board of Trustees of the City of Galveston (Park Board), I want to thank you for the opportunity to share our comments regarding the Coastal Texas Protection and Restoration Feasibility Study and the Tentatively Selected Plan (TSP).

The Park Board has led recent local efforts to address the on-going erosion to our barrier island. First was the development of a Galveston Island Sand Management Plan (SMP) in 2014. Which led to numerous large-scale beach renourishment projects with our partners (USACE & GLO). Together, Galveston Island has successfully completed almost \$50 million in construction projects that placed approximately 2 million cubic yards of beach quality material on our coastline.

A land barrier coastal spine system along the upper Texas coastline is a critical national security and economic protection priority the community views as vital to the nation's interstate commerce and economy. The Park Board applauds the extensive work by the U.S. Corps of Engineers (Corps of Engineers) on a TSP strategy that involves a coastal barrier system as the preferred option for protecting the upper Texas coastline from devastation caused by hurricane storm surge.

The TSP generated tremendous interest and discussion as evidenced by hundreds of Galveston residents attending the Corps of Engineers public meeting held on December 12, 2018. In preparing comments on the TSP, the Trustees also worked with Beach Maintenance Advisory Committee (BMAC) who's mission is to support the Galveston Park Board of Trustees on issues related to the maintenance, restoration and preservation of Galveston Island beaches, including; long-term planning, maintenance, sustainability, attractiveness, funding, usage, and environmental concerns.

Kelly A Burks-Copes, Phd Project Manager, USACE– Galveston District presented at the December 21, 2018 BMAC meeting and covered all the proposed components of the TSP. The committee is extremely grateful for her time and the great presentation and information that was provided.

Based on the information provided to date Trustees take this opportunity to comment on certain components of the TSP:

1. *Galveston Ring Levee*. The TSP includes a ring levee located around the eastern part of the



City with a design calling for the seawall to be raised and the ring levee structure built to a height of 18-feet on the backside of the City.

- *Recommendation:* The Park Board believes any installation of a ring levee structure should be designed in a way that does not negatively impact or change Galveston's historical unique features or place making efforts which support our tourism economy.
2. *Mitigation Sites on Galveston Island.* The Corps of Engineers will need areas to mitigate for impacts done by the installation of the various TSP components.
- *Recommendation:* There are numerous areas on Galveston Island that would make suitable mitigation sites. The Park Board manages East End Lagoon an area with a unique and sensitive ecosystem adjacent to the where the gate system would be installed. The Park Board is currently developing this area into a eco-tourism attraction. The Park Board also manages the re-nourishment program for the public beaches on the island. The beneficial use of displaced material should be used where appropriate. The placement of beach quality sand on the beaches and the creation of bayside ecosystems should be included.
3. *Cost Share of On-going Maintenance Costs.* The USACE has not identified a local sponsor for the on-going maintenance costs following construction. Given the extent of the Texas Coast finding one entity to be the local sponsor will be a challenge.
- *Recommendation:* The Park Board advocates that local legislatures be prepared to cost share and that a regional approach should be considered in order to develop various agreements.

The Park Board supports the Corps of Engineers efforts to address beach and dune nourishment for Galveston Island in the TSP. While an engineered sand dune barrier approach is the preferred alternative to the TSP proposal, the Park Board is concerned a significant re-nourishment commitment will be needed to maintain the beaches, a maintenance obligation well beyond financial means of the community. When developing the final plan, the Park Board strongly urges the Corps of Engineers to commit to the beach and dune maintenance needs that will be critical for supporting the use of natural appearing dune barrier systems near or on the beach through beneficial dredge. Galveston Island has been leading the way in researching and developing sediment technologies to continuously and passively address the erosion issues impacting our coastline.

Finally, the Park Board recognizes the Texas General Land Office Commissioner George P. Bush for his leadership as the non-federal partner working with the Corps of Engineers to advance the best coastal barrier protection option. The Park Board echoes Commissioner Bush's support for additional studies of the TSP to minimize the impact to the surrounding community.

We greatly appreciate your consideration of this request.

Sincerely,

Spencer Priest  
Galveston Park Board of Trustees Chair

cc: The Honorable John Cornyn  
United States Senate  
517 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Ted Cruz  
United States Senate  
185 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Randy Weber  
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