1/28/2020 - 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. Roll Call And Declaration Of A Quorum

Roll was called and a quorum declared.

Trustees Present: Spencer Priest, Jan Collier, Maureen Patton, Steven Creitz (left at 4:38 p.m.), Will Wright (left at 4:32 p.m.), Jason Worthen, Dave Jacoby (left at 4:38 p.m.), David Collins and Marty Fluke.

Staff Present: Kelly de Schaun, Michael Moser, Schel Heydenburg, Kimberly Danesi, Corey Holcomb, Reuben Trevino, Ulises Zamudio, Caitlin Carnes, Kay Terry, Sheryl Rozier, Deborah Piske, Tony Pryor and Carla Cotropia Legal Counsel.

IV. Conflict Of Interest Declarations
    No conflicts were declared.

V. Requests To Address The Board

Benny Davis spoke on agenda item VIII-C. He shared his disappointment that the Texas General Land Office was not awarding the grant to fund the drainage project.

Charles Wiley and Jonathan Hale both spoke on agenda item VII-B in favor of the Park Board of Trustees submitting an RFP for the to have Battleship Texas moved to Seawolf Park after being repaired.

Lisa Carnes spoke on agenda items VII-D and VIII-A as the concessionaire being considered for East Beach. She asked for consideration to keep the term of the snack bar to five years as was stated when the bid was posted.

VI. Recognition Of Park Board "Best Of Island" Awards (Kimberly Danesi, 5 Minutes)
    Spencer Priest congratulated the Park Board on the "Best of Island" awards and shared that Beach Patrol received several including the Best Place to Work and Chief Peter Davis selected as the Best Galvestonian.

VII. Administration

A. Discuss And Consider Approval Of 2020 Federal Legislative Agenda (Kelly De Schaun/Greg Burns, 20 Minutes)
Greg Burns with Thorn Run Partners gave a brief history on his advocacy partnership with the Park Board at the Federal level and then reviewed the proposed agenda items for 2020 which included working to continue beach renourishment projects and the renewal of the beach cleaning permit with the U.S. Army Corps of Engineers, continuing to monitor implementation of the RESTORE Act and its benefits for Galveston and supporting the increased funding from the Gulf of Mexico Energy Security Act (GOMESA). Mr. Burns noted that currently counties, not cities, are considered political subdivisions for this revenue sharing. He will amend the agenda to include supporting inclusion of cities as considered political subdivisions. In addition, He reported that on the agenda was the continued support of the creation of the Lone Star Coastal National Recreation Area, funding for the state conservation grant program of the Land and Water Conservation Fund and improvement of the National Floor Insurance Program including the FEMA Risk Rating program.

**Motion**: Maureen Patton motioned to approve the legislative agenda with the amendment to include supporting equal distribution of the GOMESA funding to include cities, not just counties as political subdivisions.

**Second**: Steven Creitz seconded.

**Vote**: Approved (9-0).

B. Discuss And Consider Approval To Submit A Response To The Battleship Texas Foundation Request For Proposal For A New Site (Kelly De Schaun, 10 Minutes)

Kelly de Schaun introduced Bob Randall, an architect and previous director for the Galveston County Park Board and shared that she, along with City Manager, Brian Maxwell, have met with Mr. Randall to discuss the possibility of having the Battleship Texas at Seawolf Park. Mr. Maxwell shared that the City supports having the vessel in Galveston with the caveat that the City nor the Park Board are responsible for maintenance and that there be some type of guarantee from either the Foundation or the State that if it is not maintained that it be relocated or dismantled. Mrs. de Schaun directed the trustees to the RFP documentation and shared that if the trustees wish to submit a proposal, staff is recommending hiring Bob Randall to prepare it. She stated that the requirements for the proposal include pro formas of projected revenues, architectural drawings and schematic designs, and cost analysis. Mrs de Schaun also reported that there is a very short turn around time on this RFP and it would have to be brought back for approval at the February Board meeting.

Mr. Randall referred back to the 2014 Master Plan for Seawolf Park and showed how the Battleship would fit at the Park. He shared proposed land use including a possible long term lease of land owned by the Port of Houston that could be used for an RV Park. Mr. Randall also presented ideas for increasing parking, an event center, enlarging the fishing pier, boat ramps, water taxis and food truck concessions as ways to increase traffic and revenue for Seawolf Park.

Marty Fluke and David Collins both shared that they did not support having the Battleship Texas at Seawolf Park. Mr. Collins also stated that there are too many unknowns and the turn around time to submit the proposal is way too quick. Brian Maxwell shared that this ship is an asset of the State of Texas and that the Battleship Texas Foundation has been told by them that they cannot move the ship to Alabama for repairs until they have a location for it once all of the repairs have been made.

**Motion**: Dave Jacoby motioned for staff to communicate with the Battleship Texas Foundation to see if there is flexibility in the deadline for submission and ask for an additional 60 days or more to allow time for the Board to properly review. If the deadline cannot be extended, then the Park Board cannot submit a proposal.

**Second**: David Collins seconded.

**Vote**: Approved (8-0, Fluke Abstained).
C. Discuss And Consider Approval Of Park Board Committee 2019-2020 Action Plans (Kelly De Schaun)

Kelly de Schaun reviewed each of the 2019-2020 actions plans for the committees and gave an overview of the top priorities for each committee.

David Collins asked who developed the plans for the committees. Mrs. de Schaun shared that these are jointly worked on by the staff liaisons for the committees and the committee members.

Motion: Will Wright motioned to approve the 2019-2020 Park Board Committee Action Plans.

Second: Dave Jacoby seconded.

Vote: Approved (9-0).

D. First Reading Of Proposed Amendment To The Park Board Of Trustees By-Laws For Article XVIII - Concessionaire Policy (Carla Cotropia, 5 Minutes)

Carla Cotropia reviewed the proposed amendment to the By-laws and shared that this was needed since the language currently contradicts the City ordinance requiring approval from the City for anything over 3 years.

VIII. Operations

A. Discuss And Consider Revision To The Park Board Concessionaire Information Packet To Update Agreement Terms (Reuben Trevino, 5 Minutes)

David Collins stated he was not aware that the City ordinance impacted the concessionaire terms and he would speak with the City attorney.

Motion: Maureen Patton motioned to defer this item until discussed with the City.

Second: David Collins seconded.

Vote: Approved (9-0).

B. Discuss And Consider Award Of Concession Agreements To Lisa Carnes, Dba East Beach Rentals, For East Beach Snack Bar, Umbrella And Chair Rentals And Kiosk Retail (Reuben Trevino, 10 Minutes)

Reuben Trevino gave an overview of the bid process that was done in November for the available concession areas including East Beach. He reported that the received proposals were evaluated and scored by himself, Kelly de Schaun and Jason Worthen as chair of the Parks and Amenities Committee and based on these evaluations, staff is recommending awarding all three contracts to Lisa Carnes, East Beach Cantina and Rentals. Mr. Trevino explained that she scored higher on two of the three areas and that staff believes it makes sense, at this time, to have one vendor in place at the park. He noted that the term for the snack bar at this time is for three years due to the City ordinance. Carla Cotropia stated that an amendment could be done to make the term five years if the City approves or the ordinance is revised.

Motion: Maureen Patton motioned to accept staff’s recommendation and award approval to for the snack bar and kiosk retail agreements to Lisa Carnes.

Second: Jan Collier seconded.

Vote: Approved (9-0).

Marty Fluke asked if it was defensible to award the umbrella and chair agreement to Lisa Carnes even
though it was not the highest bid. Kelly de Schaun shared that the higher bidder was the current concessionaire and there were circumstances that were taken into consideration when the scoring on the bids was performed including previous late payments, complaints made about this vendor’s staff as well as a recently completed City audit that indicated this vendor was short on payments. Carla Cotropia stated that these reasons are valid to not accept the bid.

**Motion**: Maureen Patton motioned to approve the award of contract for Umbrella and Chair rentals to Lisa Carnes.

**Second**: Jan Collier seconded.

**Vote**: Approved (9-0).

C. Update On Stewart Beach Drainage Project (Sheryl Rozier, 15 Minutes)
Sheryl Rozier gave an update on the Stewart Beach Drainage project. She shared that the Texas General Land Office chose to not award the grant to the Park Board for this project so staff is moving forward with plan B that was specified in the approved Capital Improvement Plan. She shared that the overall plan is the same as Plan A however due to funding the bid schedule is being reorganized. Jason Worthen asked if anything has been done about the adjacent properties draining onto Stewart Beach. Mrs. Rozier reported that the City was unable to locate any documentation regarding this and at this time they have no proposed solution.

IX. Consent

**Motion**: David Collins motioned to approve consent agenda items A, B, C, D, E, G, H and I.

**Second**: Marty Fluke seconded.

**Vote**: Approved (8-0, Worthen not present at time of vote).

A. Discuss And Consider Approval Of Park Board Of Trustees Meeting Minutes

B. Discuss And Consider Approval To Continue Video Services Of Board Of Trustee Meetings By Swagit Productions, LLC (Schel Heydenburg)

C. Discuss And Consider Approval Of Renewal Of Federal Legislative Advocacy Agreement With Thorn Run Partners (Kelly De Schaun, 10 Minutes)

D. Discuss And Consider Renewal Of Concession Agreement With Adrian Sauceda, Dba Beach Bums Umbrella And Chairs For Area 17, 62nd And 63rd (Reuben Trevino)

E. Discuss And Consider Approval To Purchase Six 2020 Honda Recon ATV's For Beach Parks (Ulises Zamudio)

F. Discuss And Consider Approval Of Funds For Support Of Bucket Brigade And World Oceans Day Celebrations At Stewart Beach (Kelly De Schaun)

This item was deferred.

G. Discuss And Consider Special Event Incubator Funding For 2020 Ben Temps Rouler Cajun Throwdown (Bryan Kunz)

H. Discuss And Consider The Funding Of The Payoff Of The Texas First Bank Loan In Fiscal Year 2019-2020 (Michael Moser)

I. Discuss And Consider Approval Of The September 2019 Unaudited Financial Statements (Michael
J. Discuss And Consider Award Of Contract To Azavar Government Solutions To Conduct 2020 Hotel Occupancy Tax Audits (Kay Terry)

**Motion:** Will Wright motioned to approve the award of contract to Azavar Government Solutions to conduct the 2020 Hotel Occupancy Tax audits.

**Second:** Steven Creitz seconded.

**Vote:** Approved (8-0, Collins not present at time of vote).

K. Discuss And Consider Award Of Contract To Azavar Government Solutions For Identification Of Non-Compliant Short Term Rentals (Kay Terry)

**Motion:** Maureen Patton motioned to approve Azavar Government Solutions for identification of non-compliant short term rentals.

**Second:** Marty Fluke seconded.

**Vote:** Approved (7-0, Collins and Jacoby not present at time of vote).

X. Executive Session

The meeting entered into Executive Session at 4:07 p.m.

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 State Of Texas Clearly Conflicts With This Chapter

B. Pursuant To Texas Government Code Section 551.074 - Personnel Discussion - Discuss And Consider Controller Position

XI. Action Item (S) Resulting From Executive Session

The Open meeting resumed at 5:34 p.m.

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

Executive Session Agenda Item X-A - Spencer Priest reported that the naval museum has been closed since the discovery of asbestos in the USS Cavalla. He shared that a firm has been found to perform the remediation and the hope is to have the museum reopened in March. Mr. Priest stated that the Park Board is continuing to work with the Cavalla Historical Foundation to ensure the safety of the public.

**Motion:** Marty Fluke motioned to approve $86,000 for the remediation of the vessels.

**Second:** David Collins seconded.

**Vote:** Approved (6-0, Wright, Creitz and Jacoby not present at time of vote).

Executive Session Agenda Item X-B - Spencer Priest announced that Michael Moser has submitted his notice of retirement effective June 30, 2020 and thanked him for all of his service. He stated that the position will be changed to a Chief Financial Officer and that staff would work with an executive search firm to fill this position.

XII. Discuss And Consider Approval Of CFO By Design For An Administrative And Financial Assessment
Kimberly Danesi gave an overview of the assessment being requested and the areas CFO by Design would be reviewing such as current policies, procedures and technology. Mrs. Danesi shared that this item was presented to the Finance and Operations Committee in December and unanimously approved by a vote of 5-0.

**Motion:** Marty Fluke motioned to approve CFO by Design for an Administrative and Financial Assessment.

**Second:** Maureen Patton seconded.

**Vote:** Approved (6-0, Wright, Creitz and Jacoby were not present at time of vote).

XIII. Future Agenda Items

- Possible Beer and Wine Sales at Stewart Beach
- 2nd Reading of Bylaw amendment
- Quarterly Business Plan Updates
- Employee Engagement Survey Results
- Port of Galveston Master Plan
- First Quarter Financials

XIV. Announcements

XV. Adjournment

The meeting was adjourned at 5:44 p.m.