

A regular meeting of the City of Waxahachie Cultural Arts & Heritage Commission was held on Thursday, October 2, 2025 at 4:00 p.m. in the Mean Green Conference Room at the Charles Beatty Municipal Services Building, 408 S. Rogers, Waxahachie, Texas.

Members Present: Rhyan Phillips, Chair
Twyla U. Williams, Vice Chair
Victoria Russell, Secretary
Von Aday
Emily Finch

Others Present: Laurie Mosley, Director, Convention & Visitors Bureau
Billie Wallace, Mayor, Council Liaison
Ricky Boyd, Interim City Manager

1. Call to Order

Mayor Billie Wallace called the meeting to order at 4:04 p.m.

2. Public Comments

Ricky Boyd thanked the board members for volunteering their time and service to the city, noting the importance of their commitment.

Mayor Billie Wallace emphasized the critical role of boards and commissions in city operations. She encouraged members to actively contribute, share their expertise, and consider future service opportunities.

Councilman Chris Wright explained that the creation of this board was intended to ensure impartiality and transparency in allocating funds, rather than having funding decisions made solely by recipients.

Councilman Travis Smith noted past concerns about a lack of transparency in funding decisions. He stated that this board now plays a vital role in determining how taxpayer dollars are distributed fairly and responsibly.

3. Introduction of Commission Members

Commission members were introduced and each provided a brief personal and professional background.

Twyla U. Williams stated that she is originally from Clayton, Louisiana, and has lived in Texas for approximately 20 years, including the past five years in Waxahachie. She is a graduate of Louisiana State University and is employed as a Financial Analyst with the U.S. General Services Administration. Ms. Williams noted that her participation in the Citizens Academy inspired her to serve the community. Mayor Wallace commended Ms. Williams for personally reaching out to Council Members to express her interest in serving, noting that her initiative was appreciated.

Emily Finch shared that she and her husband moved to Waxahachie approximately eleven years ago after living in Oak Cliff, where they were active in neighborhood preservation and community boards. She has served on the boards of Historic Waxahachie, Inc., Waxahachie Symphony and the Arts Council for several years. Ms. Finch expressed support for bringing the arts under city purview to ensure accountability in the distribution of public funds and related legal matters. She is employed by Judge Gallo with Ellis County.

Rhyan Phillips stated that he was raised in Waxahachie and has previously served on the Economic Development Corporation Board and other community groups. He expressed that his family's example of community involvement encouraged his own participation in civic service. Mr. Phillips is currently employed with the Ellis County District Attorney's Office.

Victoria Russell stated that she and her husband moved to Waxahachie approximately one and a half years ago. She noted that her husband serves with the Waxahachie Police Department and that Mayor Wallace's remarks at a departmental welcome event inspired her to apply for the commission. Mrs. Russell shared that she and her husband relocated from Louisiana.

Von Aday stated that he is a native of Waxahachie who returned to the community in 2017 after time away for college and professional opportunities. He shared that his family has a long history of public service, with his father currently serving on the Civil Service Commission. Mr. Aday stated that he enjoys learning about local government and civic operations and is employed as Area Director for AirMedCare Network, overseeing operations in Texas, New Mexico, and southern Oklahoma.

4. Organization of the Board

The Commission discussed the organizational structure and member term lengths. Although the establishing ordinance currently specifies two-year terms, members agreed that terms should be staggered to ensure continuity of service. To establish the rotation, three members will serve initial three-year terms and two members will serve initial two-year terms. Thereafter, all appointments will be for three-year terms.

Members were reminded to reapply in the year their term expires should they wish to be considered for reappointment.

By consensus, Emily Finch, Twyla U. Williams, and Rhyan Phillips volunteered to serve three-year terms, and Von Aday and Victoria Russell volunteered to serve two-year terms.

Action:

Emily Finch motioned to nominate Rhyan Phillips as Chair of the Cultural Arts and Heritage Commission. Motion was seconded by Twyla U. Williams and carried unanimously (5-0).

Action:

Emily Finch motioned to nominate Twyla U. Williams as Vice Chair of the Cultural Arts and Heritage Commission. Motion was seconded by Rhyan Phillips and carried unanimously (5-0).

Action:

Emily Finch motioned to nominate Victoria Russell as Secretary of the Cultural Arts and Heritage Commission. Motion was seconded by Twyla U. Williams and carried unanimously (5-0).

5. Hear history of the Waxahachie Arts Council

Waxahachie Arts Council President, David Hudgins, provided an overview of the history and structure of the Waxahachie Arts Council and its connection to the City's hotel occupancy tax funds. Mr. Hudgins explained that under Chapter 351 of the Texas Tax Code, cities may establish a municipal hotel occupancy tax to fund tourism-related activities, including the promotion of the arts. He noted that Waxahachie established its hotel occupancy tax program in the 1980s, when the city had few hotels and limited revenues.

Mr. Hudgins stated that the Arts Council currently receives 25% of total hotel occupancy tax revenues, with state law limiting arts-related expenditures to no more than 15% of total collections. He clarified that the 15% limitation applies to the total collected amount, not just to the 25% allocation.

He described past administrative practices of the Arts Council, including requiring annual reports and documentation of nonprofit status from each participating organization to ensure compliance with state requirements. Nine local organizations currently receive funding, all of which must be based within the City of Waxahachie.

Mr. Hudgins explained that historically, members of the Arts Council were also representatives of the recipient organizations, with only one member appointed by the City. This structure limited transparency and created potential conflicts of interest, as the same individuals distributing funds were also receiving them. Additionally, the former bylaws included a local rule prohibiting duplication of services, meaning no new organization could be funded if a similar group already existed (e.g., one symphony or one museum). He emphasized that this rule was local in origin and not a state requirement.

In response to questions from commission members, Mr. Hudgins confirmed that each of the nine existing organizations relies on its allocation and receives quarterly payments. He noted that many organizations, such as the Waxahachie Symphony, enter into contracts in advance and depend on continued funding to meet those commitments.

Mayor Billie Wallace added that the new commission is not bound to follow past procedures and is encouraged to consider new methods for allocating funds based on community impact and need. She emphasized that while state statutes regarding allowable expenditures must still be followed, the new commission has flexibility to develop its own policies, including consideration of grant opportunities or revised distribution formulas.

Laurie Mosley, Director of the Convention and Visitors Bureau, provided additional context regarding hotel occupancy tax growth, noting that collections have increased significantly since the early 2000s as new hotels have opened. She stated that this growth provides opportunities for new funding approaches and expanded support for local arts and tourism initiatives, provided all allocations remain compliant with the Texas Tax Code.

Discussion concluded with acknowledgment that the new commission will develop updated guidelines and procedures for evaluating funding requests and that existing organizations will be made aware of the transition process.

6. Review and discuss the State of Texas Hotel Occupancy Tax Two-Part Test

Convention and Visitors Bureau Director Laurie Mosley presented an overview of the statutory framework governing the use of municipal hotel occupancy tax (HOT) revenues, commonly referred to as the “two-part test.”

Ms. Mosley explained that under Chapter 351 of the Texas Tax Code, every expenditure of HOT funds must first directly enhance and promote tourism and the convention and hotel industry. The expenditure should reasonably be expected to attract visitors from outside the community who may stay overnight in local lodging establishments.

She noted that the second part of the test requires that all funded activities fall within one of nine allowable categories established by state law. Ms. Mosley briefly reviewed these categories, emphasizing that Waxahachie primarily utilizes HOT funds for:

1. The promotion of the arts, and
2. Historic restoration and preservation projects.

Other eligible uses include convention facilities and visitor centers, convention registration services, tourism advertising, sporting events and facilities, tourist transportation, and directional signage. Ms. Mosley explained that the Convention and Visitors Bureau (CVB) receives 75% of the City’s hotel occupancy tax collections, which fund activities such as event support, tourism marketing, and convention services. The remaining 25% is allocated for arts and historic preservation purposes under the direction of the newly formed commission.

She stated that the Texas Hotel & Lodging Association (THLA) provides interpretive guidance on how the statute applies in practice, though some provisions contain “gray areas.” The Texas Municipal League (TML) and the City Attorney’s Office may also provide legal interpretation, with final determinations made by the City Council.

Mayor Billie Wallace emphasized the importance of documenting how each funding recommendation satisfies both parts of the test and requested that the commission include such justification when submitting recommendations to City Council.

Ms. Mosley noted that evidence demonstrating an event’s tourism impact may include ticket-buyer ZIP codes, hotel occupancy data, or cell-phone data showing visitor origin. She acknowledged that data collection can be challenging because hotels are not always able to identify whether guests are in town for a specific event.

Commission members discussed methods for measuring visitor impact and the need for transparency in evaluating applications. Mayor Wallace cautioned that organizations with “arts” or “heritage” in their names do not automatically qualify for funding; each must demonstrate compliance with the statutory requirements.

Additional discussion addressed the importance of maintaining flexibility for future grant opportunities, developing clear application and reporting procedures, and ensuring that all funding decisions are transparent, well-documented, and consistent with state law.

7. Review the ordinance and purpose of the commission

Councilman Travis Smith reviewed the ordinance and the purpose of the commission. It was noted that the ordinance and City website will be updated to reflect three-year member terms.

Commission members were reminded that Open Meetings Act training is required and should be completed annually as a best practice. Members may communicate with one other member outside of posted meetings, but discussions involving a quorum would constitute a violation of the Open Meetings Act. It was further noted that text messages regarding agenda items may be considered public records.

Until revised forms and reporting processes are developed, the existing application and reporting forms currently used by funding recipients will remain in effect, with hard deadlines for submission.

Ricky Boyd added that the Finance Department is also developing standardized forms and questionnaires to ensure consistent reporting across all groups receiving City funds.

8. Set next meeting date and time

The next meeting is set for November 6, 2025 at 4:30 p.m. at Mean Green Conference Room.

9. Adjourn

There being no further business, the meeting adjourned at 5:23 p.m.

Respectfully submitted,

Laurie Mosley
Director, Convention & Visitors Bureau