



NOTICE OF REGULAR MEETING
Park Board of Trustees of the City of Galveston
Tuesday, January 24, 2023 at 1:30 p.m.
Park Board Plaza
601 Tremont Street, Galveston, Texas 77550

Live Streamed:

<https://www.galvestonparkboard.org/217/Watch-The-Board-of-Trustee-Meetings>

- 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 Board

The public shall be allowed to provide comment to the Board regarding one or more agenda or non-agenda items. All requests to address the Board must be submitted in writing and can be presented to the Board Reporter the day of the Board meeting or by completing the Public Comment Form available on the Park Board of Trustees website at the following link prior to the start of the meeting. Each Person will be limited to three (3) minutes regardless of the number of items addressed.

[HTTPS://WWW.GALVESTONPARKBOARD.ORG/FORMS.ASPX?FID=65.](https://www.galvestonparkboard.org/forms.aspx?fid=65)

VI. Employee Spotlight - Dottie Bossley (Susan Keeble, 5 Minutes)

Documents:

[DOTTIE BOSSLEY.PDF](#)

VII. Consent

A. Discuss And Consider Approval Of Meeting Minutes (Schel Heydenburg)

Documents:

[PARK BOARD OF TRUSTEES MEETING MINUTES 11-15-2022.PDF](#)
[PARK BOARD OF TRUSTEES JOINT MEETING WITH COG MINUTES 11-17-2022.PDF](#)
[PARK BOARD OF TRUSTEES MEETING MINUTES 12-13-2022.PDF](#)

B. Discuss And Consider Approval For Bus Stop Lighting Repair At Urban Park (Corey Holcomb)

Documents:

[BUS STOP LIGHTING OVERVIEW.PDF](#)

- C. Discuss And Consider Approval Of Fiscal Year 2022 September Unaudited Financial Statements (Bryson Frazier)

Documents:

[SEPTEMBER 2022 UNAUDITED FINANCIAL STATEMENTS.PDF](#)

- D. Discuss And Consider Approval Of Lease Agreement With Visual Edge IT For Park Board Plaza Printer/Copier Machines (Schel Heydenburg)

Documents:

[PRINTER-COPIER EQUIPMENT LEASE AGREEMENT.PDF](#)

- E. Discuss And Consider Approval Of Memorandum Of Understanding With City Of Galveston For Trolley Advertising Program (Scott Moon)

Documents:

[TROLLEY ADVERTISING MOU.PDF](#)
[ADVERTISING MOU CITY AND PARK BOARD.PDF](#)

- F. Discuss And Consider Approval Of Tourism Development Expenditures (Jacquelyn Helton)

Documents:

[TOURISM DEVELOPMENT EXPENDITURES - JANUARY 2023.PDF](#)

VIII. Administration

- A. Update And Discussion On Federal Government Affairs (Greg Burns, 20 Minutes)

Documents:

[FEDERAL GOVERNMENT UPDATE .PDF](#)

- B. Standing Committee Monthly Updates (Committee Chairs, 10 Minutes)

- Beach Maintenance Advisory Committee (Jason Worthen)
- Finance and Operations Committee (Dave Jacoby)
- Parks and Amenities Committee (Jason Hardcastle)
- Tourism Development Advisory Committee (Will Wright)
- Workforce Development Committee (Spencer Priest)

- C. City Council Liaison Report (Mike Bouvier, 5 Minutes)

- D. Discuss Proposed City Charter Amendment Regarding The De-Obligation Of Marketing And Advertising Funds To The Park Board As Proposed By City Attorney Don Glywasky (Marty Fluke, 10 Minutes)

- E. Discuss And Consider Approval To Create A Board Task Force For Process Of Solicitation Of General Counsel (Marty Fluke, 5 Minutes)

Documents:

[GENERAL COUNSEL TASK FORCE.PDF](#)

- F. Discuss And Consider Approval To Appoint Maya Sandy To The Workforce Development Committee (Marty Fluke, 5 Mintues)

Documents:

[WORKFORCE DEVELOPMENT COMMITTEE APPOINTMENT.PDF](#)

- G. Review Of Texas Open Meeting Act Requirements (Schel Heydenburg, 10 Minutes)

Documents:

[TEXAS OPEN MEETINGS ACT REVIEW.PDF](#)

- H. Discuss And Review Park Board Procurement Policy And Procedures (Bryson Frazier, 10 Minutes)

Documents:

[PROCUREMENT POLICY REVIEW .PDF](#)
[PROCUREMENT POLICY REFERENCE.PDF](#)

- I. Update On Chief Tourism Officer Recruitment (Kelly De Schaun, 5 Minutes)

IX. Operations

- A. Update On The Washed Ashore Island Wide Art Exhibit (Kimberly Danesi, 10 Minutes)

Documents:

[01.24.2023_UPDATE ON THE WASHED ASHORE ISLAND WIDE ART EXHIBITION.PDF](#)

- B. Discuss And Consider Approval To Award Concessionaire Agreements To Begin In The 2023 Season (Ann Hobing, 10 Minutes)

Documents:

[2023 CONCESSIONAIRE AGREEMENTS.PDF](#)

- C. Presentation Of Federal Emergency Management Agency Receivables (Sheryl Rozier/Tom Singleton, 10 Minutes)

Documents:

[2023-01-24 OV FEMA RECEIVABLES-PROJECTS UPDATE.PDF](#)

- D. Update On Dellanera Beach Nourishment Costs And Activities (Sheryl Rozier, 10 Minutes)

Documents:

[2023-01-24 OV DELLANERA BEACH NOURISHMENT UPDATE.PDF](#)

X. Executive Session

- A. Pursuant To 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 – The Interplay And Interpretation Of Numerous State Laws, City Charter, Ordinances And Related Agreements Impacting The Division Of Rights, Duties And Responsibilities Between The Park Board And The City Of Galveston And Options For Clarifying The Same

XI. Action Item (S) Resulting From Executive Session

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

XII. Future Agenda Items

XIII. Announcements

XIV. 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 20, 2023, 5:00 p.m.

Approved

Marty Fluke, Chair

Approved as to Format

Robert Booth, Legal Counsel

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)



Agenda Item: Employee Spotlight – Dottie Bossley

Background: Dottie has been a driving force for Galveston Island’s group sales for more than 19 years. As Regional Sales Director for Visit Galveston, Dottie works with state association clients to ensure they balance successful meetings with just the right amount of Island Time!

Dottie graduated from Texas State University with a Bachelor’s in Business Administration in Marketing. Prior to joining Visit Galveston, she spent 15 years in hotel sales and 5 years with Visit Houston. Dottie pioneered the remote sales position with both Visit Houston and Visit Galveston with great success.

Dottie has earned her Certified Destination Management executive accreditation – Destination International’s most prestigious designation. She is currently serving on the board of the Texas Society of Association Executives and chairs the Affiliate committee. She has won several awards during her career to include the 2020-21 Hospitality Award from the Texas Travel Alliance.

When not working, Dottie reads books, loves a great TV series, dances the Mambo in the morning, and gardens. Dottie #loves Galveston!

Dottie’s manager, Bryan Kunz, shares that Dottie is a fantastic team member, frequently offering insightful and creative ideas to benefit the sales team. She uses her time extremely well, creates high-quality work, and always remains focused on both her individual and the team goals. Dottie continues to offer top-level customer service, identifying customers’ specific needs and working with the Services team to offer the best experience for the client. She is open to new challenges and has taken on new sales markets head-on without hesitation.

We are thrilled to recognize Dottie this month as she approaches her 20th service anniversary with the Park Board.



Park Board of Trustees of the City of Galveston

11/15/2022 - 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. Roll Call And Declaration Of A Quorum

Roll was called and a quorum declared.

Trustees present: Marty Fluke, Will Wright, Kimberly Gaido, Jason Hardcastle, Jeff Ossenkop and Jason Worthen.

IV. Conflict Of Interest Declarations

There were no conflict of interests declared.

V. Requests To Address The Board

Robbie Carnes and Lisa Carnes addressed the Board regarding agenda item IX-F.

VI. Employee Spotlight - Mike Reardon (Susan Keeble, 5 Minutes)

Susan Keeble introduced Beach Patrol Captain, Mike Reardon. She shared that Captain Reardon is celebrating his 5th anniversary as a year-round employee and that he has 46 years of service on Galveston's beaches.

VII. Administration

A. Discussion Concerning City Of Galveston Proposed Changes To The Hotel Occupancy Tax Ordinances (Marty Fluke, 15 Minutes)

Marty Fluke reported that one of the items on joint meeting scheduled with City Council November 17, 2022 would be the proposed changes to the Hotel Occupancy Tax procedures and stated that it was important that both the Park Board and the City focus on the customers/partners and how the changes proposed will impact them. He shared that the Park Board is a separate government entity and not a city department and that the two entities have a long history of interlocal agreements mutually benefitting both. Kelly de Schaun gave an overview of the agreements from 2009, 2014 and 2019. Mr. Fluke stated that if there is concern about the funds being kept in the Park Board HOT account, the City could declare that a city depository.

Bryson Frazier reviewed the proposed ordinances that were discussed at the October City Council meeting. He shared that it would change the way hotel occupancy taxes are collected, deposited and distributed, change the way it is budgeted and the approval of the budget as well as how the fund allocations are

distributed to the Park Board. He shared that requirements of the proposed ordinances and procedures and the impacts to the Park Board and reviewed the collection and distribution scenarios based on them. Mr. Fluke stated that he believes the best solution is to delineate the responsibilities of both in an interlocal agreement.

B. Presentation By Rogers Partners For Beach Patrol Headquarters And Discussion Of Next Steps (Peter Davis/Tyler Swanson, 20 Minutes)

Tyler Swanson with Rogers Partners presented the proposed schematic design for a new beach patrol headquarters. He review the proposed location on Stewart Beach which he shared was based on input from the Texas General Land Office and which area would be have the best view to monitor the park. Mr. Swanson reported that the design and materials recommended are meant to build an energy efficient building with a comfortable year-round environment. Current estimate for the building is just under 10 million.

C. Discuss And Consider Approval Of The 2023 State Legislative Agenda (Kelly De Schaun, Ryan Brannan, 20 Minutes)

Ryan Brannan reviewed the proposed 2023 state legislative agenda which included working with the Texas General Land Office for funding of local coastal programs, contract for emergency debris removal and Babe's beach ownership determination as well as GOMESA grant funding improvement, additional funding options beyond Hotel Occupancy Taxes (HOT), full funding for Texas Tourism promotions, Short Tern Rental preemption statewide, state event trust authority, protection of the current HOT allocations, full funding for the Battleship Texas, the replacement of the Pelican Island Bridge and the Golf Coast Protection District.

Motion: Will Wright motioned to approve the 2023 State Legislative agenda.

Second: Jason Hardcastle seconded.

Vote: Approved (5-0,1 Worthen abstained).

D. Discuss And Consider Approval Of The Park Board Investment Policy And Authorize Publication Of A Request For Proposals For Investment Services (Bryson Frazier, 15 Minutes)

Bryson Frazier reported that the investment policy being presented has been in the works for over a year but unfortunately was delayed due to the time required for the Short Term Rental changes. He shared that the policy was updated to adhere to the most recent provisions of the Public Funds Investment Act, Texas Government Code and the Public Funds Collateral Act. In addition to approving the policy, Mr. Frazier also requested authorization to publish a request for proposals for investment services.

Motion: Marty Fluke motioned to approve the investment policy and the RFP for investment services.

Second: Will Wright seconded.

Vote: Approved (6-0).

E. Standing Committee Monthly Updates (Committee Chairs, 10 Minutes)

The following committee updates were provided:

- Finance and Operations Committee - Review and discussion of fleet needs
- Tourism Development Advisory Committee - July 4th and Juneteenth Holiday activities
- Workforce Development Committee - Ball High School event for current students and 8th graders coming in.

The Beach Maintenance Advisory and Parks and Amenities Committees did not meet in November.

F. City Council Liaison Report (Mike Bouvier, 5 Minutes)

This item was deferred.

VIII. Tourism Development

- A. Discuss And Consider Approval Of 2023 Holiday Activities, June 23rd Through July 4th (Michael Woody, 5 Minutes)

Michael Woody reported that as requested by the Board, this item was discussed at the Tourism Development Advisory Committee (TDAC) meeting and the following two options are being presented for consideration: Option 1 which includes a July 3rd Drone Show, July 4th Morning Parade in Historic Downtown, and Sponsorship of City Organized Fireworks at a cost of approximately 100K and Option 2 which includes the Juneteenth Bridge Activities June 23-25 and June 30 – July 2, July 4th Morning Parade in Historic Downtown, July 3rd and 4th Small Bands around the Island, and Sponsorship of City Organized Fireworks at an approximate cost of \$130k. Mr. Woody shared that TDAC is recommending option 2.

Motion: Jason Hardcastle motioned to approve Option 2 for presentation to Galveston City Council.

Second: Kimberly Gaido seconded.

Vote: Approved (5-1, Wright Opposed).

IX. Consent

Motion: Marty Fluke motioned to approved Consent Items A, C, D, E, G, H, I and J.

Second: Jason Hardcastle seconded.

Vote: Approved (6-0).

Motion: Marty Fluke motioned to approve Consent Item B.

Second: Jeff Ossenkop seconded.

Vote: Approved (6-0).

Motion: Marty Fluke motioned to defer Consent Item F.

Second: Jason Hardcastle seconded.

Vote: Approved (6-0).

- A. Discuss And Consider Approval Of Meeting Minutes (Schel Heydenburg)
- B. Discuss And Consider Approval For Planter Box Landscaping Work At Urban Park (Corey Holcomb)
- C. Discuss And Consider Approval To Purchase A Club Car Carryall 500 For Seawolf Park (Corey Holcomb)
- D. Discuss And Consider Approval Of Electrical Upgrades At East Beach (Vince Lorefice)
- E. Discuss And Consider Approval To Award Contract To Immaculate Painting For Dellanera RV Park Pavilion Exterior Painting (Tim Jackson)
- F. Discuss And Consider Approval Of Rates For Concessionaire Use Of Facilities And Utilities At Parks (Ann Hobing)
- G. Discuss And Consider Approval Of Budgeted Sealver PRO WB 575 (Peter Davis)

H. Discuss And Consider The Approval Of A Professional Services Agreement With Atkins For General Regulatory Agency Matters For FY 22-23 (Sheryl Rozier)

I. Discuss And Consider Approval Of Fiscal Year 2022 August Unaudited Financial Statements (Bryson Frazier)

J. Discuss And Consider Approval For Renewal Of Credit Line And The Certificate Of Deposit At Moody National Bank (Bryson Frazier)

X. Executive Session

The meeting entered Executive Session at 4:22 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 The State Of Texas Clearly Conflicts With This Chapter - Legal Matters Concerning Concessionaire Program

XI. Action Item (S) Resulting From Executive Session

The open meeting resumed at 4:54 p.m.

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

There was no action taken.

XII. Future Agenda Items

No future items were discussed.

XIII. Announcements

- Jeff Ossenkop announced that he attended the Moody Foundation meeting earlier in the day and that Iceland is opening the upcoming weekend at Moody Gardens.
- Will Wright spotlighted Alex Thomas and his work at the State Fair.
- Kelly de Schaun shared that the Dellanera Beach Nourishment project is starting and that the Washed Ashore display will be starting soon.
- Michael Woody distributed an invite for the 60th anniversary discussion event being held at the Bryan Museum, reviewed the District tours that are scheduled to start December 12th with City Council members to highlight these areas, shared that Visit Galveston hosted the Ball High School Hospitality Students at the new Port Terminal Ribbon cutting and then brought them back to the Park Board offices to share with them about the roles and activities of the Visit Galveston team.

XIV. Adjournment

The meeting was adjourned at 5:07 p.m.

Schel Heydenburg
Board Reporter

Dave Jacoby
Board Secretary



Park Board of Trustees of the City of Galveston

11/17/2022 - Minutes

I. Call Meeting To Order

The meeting was called to order at 2:31 p.m.

II. 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, Jeff Ossenkop and Jason Worthen.

III. Discussion Items

A. Visioning For Stewart Beach Park And Seawolf Park

Jason Hardcastle presented on the current vision for Seawolf Park. He reported that this park is a cultural and historic destination and reviewed several proposed plans for the park which included water taxis connecting the park to downtown, extension of the fishing pier, showcasing the history of immigration on the island, a splash pad and an RV park. Mr. Hardcastle reviewed two options for the RV park which would include a request for proposals for a public, private partnership or for the Park Board to invest in a limited-service RV park. Mayor Brown would like to put this concept on the council agenda for formal approval so this can move forward and asked that the documentation be included for the December 8, 2022 meeting.

Mr. Hardcastle also presented on Stewart Beach Park. He gave a summary of the past activities for improvement of the park and the conclusions of the City and Park Board Task Force which include tearing down the current pavilion, public amenities at the park and commercial development. To solidify this vision, He shared that the first step is to seek a master developer to help develop a plan and funding. Mayor Brown would like to put this forward for formal approval as well by council at the December 8, 2022 meeting.

B. Discussion Of The Capital Improvement Project Approval Process And CIP Projects For 2023

Michael Bouvier initiated the discussion for the capital approval process stating that it should be clarified in the interlocal agreement between the two entities and not an ordinance. Mayor Brown clarified that there are two areas for discussion in this item: what the approval process should be moving forward for the 2023-2024 budget and beyond and what needs to be done to approve the current year projects. Mr. Bouvier shared that the Park Board would submit the list of projects, categorizing them as safety/had to be done and a wish list of things would like to do and the large items would be presented to council as was done in the previous agenda item. He stated that if council chooses to proceed, then the Park Board would research and bring back to council the costs and associated information for approval to proceed. The lists would be submitted in July with the budget to staff for review and recommendations to council as the budgets are being reviewed. It was agreed that this process needs to be delineated specifically and interactive between the entities during the process.

Mayor Brown shared that there are seven items on the capital improvement project list (CIP) for approval by council at this time for the current budget. He asked the City Attorney to clarify if these need to be listed separately on the agenda or handled like the City's CIP approval? Don Glywasky reported that a resolution has been created that lists the seven items and that they can be approved or not approved individually. John Listowski shared that he had hoped that a written process would be presented for discussion that had been reviewed by both City and Park Board staff so that both the council members and trustees could discuss. Mayor Brown believes that the process will be defined moving forward and that the seven items pending for the Park Board CIP will be on the December 8, 2022 agenda.

C. Discussion Of City Ordinances Governing Park Board Deposits And Budget Approval

Michael Bouvier opened the discussion by clarifying what the two proposed ordinances would address: the deposit of the Hotel Occupancy Taxes (HOT) into City Depositories and the approval of the Park Board budget and allocation of HOT funds to the Park Board. Marty Fluke and David Collins discussed the merits of these and disagreed on the need for these ordinances with Mr. Fluke preferring that the specifics of the Park Board Budget and HOT distribution, allocation and deposits be outlined in an interlocal agreement. John Listowski stated that the ordinances were deferred from the previous council meeting so that the many questions raised could be answered. He would like information on the process before approving the ordinances. Mayor Brown asked that Bryson Frazier and Mike Loftin continue to work together on the process for the ordinances and if revisions are needed, to bring that forward. In addition, he asked for clarification on the question of where the reserve funds need to reside if the allocations of funds are based on budget or on the pennies allocated in the charter.

D. Discussion Of Fourth Of July Presentation

There was no time for discussion of this item but it was stated that the fireworks would be a City event paid for by the Park Board as proposed.

IV. Adjournment

The meeting was adjourned at 4:35 p.m.

Schel Heydenburg
Board Reporter

Dave Jacoby
Board Secretary



Park Board of Trustees of the City of Galveston

12/13/2022 - 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. Roll Call And Declaration Of A Quorum

Roll was called and a quorum declared.

Trustees present: Marty Fluke, Will Wright, Dave Jacoby, Mike Bouvier, Kimberly Gaido, Jason Hardcastle, Jeff Ossenkop, Spencer Priest and Jason Worthen.

IV. Conflict Of Interest Declarations

Jason Hardcastle and Jason Worthen declared conflicts with Agenda Items X-B and X-C.

V. Requests To Address The Board

Ted O'Rourke addressed the Board regarding agenda item X-C.

VI. Employee Spotlight - Bryan Kunz (Susan Keeble, 5 Minutes)

Susan Keeble introduced Group Sales Director, Bryan Kunz and gave a brief biography of his twenty year career with the Park Board.

VII. Administration

A. Discuss And Consider Approval Of Galveston Island Convention Center 2023 Operating Budget (Alex Villamil, 15 Minutes)

Alex Villamil presented the Galveston Island Convention Center (GICC) 2023 Operating Budget for approval.

Motion: Jason Hardcastle motioned to approve the 2023 GICC Operating Budget.

Second: Kimberly Gaido seconded.

Vote: Approved (9-0).

- B. Discuss And Consider Approval To Purchase Supplemental Insurance For Washed Ashore Artwork As Required By Contract (Bryson Frazier, 5 Minutes)

This item was deferred as approval was not required.

VIII. Operations

- A. Discuss And Consider Approval To Authorize Staff To Lease Vehicles From Enterprise Fleet Management Sourced Through A Dealership, To Order Eleven (11) New Trucks Through Enterprise Fleet Management, And To Purchase A Chevrolet Colorado For Urban Park (Bryson Frazier, 10 Minutes)

Bryson Frazier reported that in November, staff presented the immediate fleet needs to the Finance and Operations Committee and shared the impacts being felt due to the supply chain shortage over the past two years. He stated that Enterprise Fleet Management (EFM) is able to source these vehicles however due to the timeframe of the approval process, the vehicles would no longer be available.. Mr. Frazier asked that the Board give approval for the needed vehicles and approve the presented price ranges to allow staff to move when a vehicle is found in that range. These vehicles include ½ ton crew cab 4x4s for Beach Cleaning, mid-size trucks for Beach Patrol, ½ ton 4x4 and a 1 ton truck with a 10ft. flatbed for the beach parks and a small to mid-sized SUV/ truck for Urban Park. In addition, Mr. Frazier asked for approval to order the eleven Dodge Ram trucks that are in the budget for leasing through EFM with a monthly lease rate of \$3,795.80. He also asked for approval to purchase a Chevy Colorado for Urban Park to replace the previous vehicle, recently totaled in an accident, from Classic Chevrolet in the amount of \$30,911.59.

Motion: Will Wright motioned to approve the vehicle purchases within the ranges requested, the lease of the eleven Dodge Ram Trucks and the purchase of the Chevy Colorado as presented by staff.

Second: Jason Hardcastle seconded.

Vote: Approved (9-0).

- B. Discuss And Consider The Approval Of A Professional Services Agreement With Helm Design Group, LLC For Architectural Work Related To RESTORE Funding (Sheryl Rozier, 10 Minutes)

Sheryl Rozier shared that the professional services agreement with Helm Design Group is for the RESTORE project at East End Lagoon. She reported that the project originally received a building permit in 2017, but due to the length of time required to secure the RESTORE grant the permit was voided and now the code requirements of the City of Galveston have changed necessitating the drawings to be revised to meet the new code. Mrs. Rozier reported that the original architect has retired but Helm Design Group is comprised of two principals from the previous firm and they have extensive knowledge of the project. She also shared that the change in firm has been discussed with the Texas Commission on Environmental Quality RESTORE staff to make sure that there would not be any procurement issues. Mrs. Rozier asked for approval to execute the agreement not to exceed \$62,400.

Motion: Marty Fluke motioned to approve.

Second: Spencer Priest seconded.

Vote: Approved (9-0).

IX. Consent

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

Second: Jeff Ossenkop seconded.

Vote: Approved (9-0).

Robert Booth reviewed the code of conduct being presented for approval. He shared that after drafting this policy, he was made aware that the Park Board approved a new meeting policy earlier in the year and no longer use Robert's Rules of Order as well as that there is already has an approved decorum policy. He recommends removing Section 4 in the presented document since it is covered under these two documents.

Motion: Marty Fluke motioned to approve the Code of Conduct, removing Section 4.

Second: Spencer Priest seconded.

Vote: Approved (9-0).

- A. Discuss And Consider Approval Of Code Of Conduct For Park Board Of Trustee (Robert Booth, 10 Minutes)
- B. Discuss And Consider Approval Of Tourism Development Expenditures (Michael Woody)
- C. Discuss And Consider Approval To Replace HVAC Condensing Unit And Evaporator For Park Board Plaza Elevator Room (Schel Heydenburg)
- D. Discuss And Consider Approval To Purchase Yamaha FX1800-E Jet Ski For Beach Patrol (Peter Davis)

X. Executive Session

The meeting entered Executive Session at 2:06 p.m.

- A. Pursuant To Texas Government Code Section 551.071: Consultation With Attorney To Seek The Advice On Pending Or Contemplated Litigation Or On A Matter In Which The Duty Of The Attorney To The Park Board Under Texas Disciplinary Rules Of Professional Conduct Of The State Of Texas Clearly Conflicts With The Open Meetings Act Relating To Cause No. 3:21-CV-00359; Porretto V. The City Of Galveston Park Board Of Trustees, Et Al.—In The United States District Court For The Southern District Of Texas-Galveston Division
- B. 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 Concessionaire Program
- C. Pursuant To 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 Anticipated Litigation About Private VS. Public Beaches
- D. 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 Regarding The Remittances Of Hotel Occupancy Taxes
- E. Pursuant To Government Code Section 551-074-The Board Of Trustees Will Conduct An Executive Session To Discuss The Employment, Evaluation, Reassignment, Or Duties, Of The Following Employees:
 - a. Chief Executive Officer
 - b. Chief Financial Officer
 - c. Beach Patrol Chief
 - d. Chief Operations Officer

XI. Action Item (S) Resulting From Executive Session

Note: Will Wright left the meeting at 4:10 p.m.

The Open Meeting resumed at 5:02 p.m.

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

Item X-A

No Action

Item X-B

Motion: Marty Fluke motioned for staff to contract a landman to research titles and enter into dialogue with potential

landowners on the Historic Seawall at a price not to exceed \$49,900.

Second: Spencer Priest seconded.

Vote: Approved (6-0-2, Worthen and Hardcastle abstained, Wright not present at time of vote).

Item X-C

No Action

Item X-D

Motion: Marty Fluke motioned to authorize Bryson Frazier to engage a 3rd party auditor to review and validate current

practices related to HOT fund balances by the Park Board.

Second: Spencer Priest seconded.

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

Motion: Marty Fluke motioned for staff to work with Legal Counsel to provide additional insight on Duties and Powers of the Park Board.

Second: Jeff Ossenkop seconded.

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

Item X-E

Motion Marty Fluke motioned to Approve Severance agreements for the Beach Patrol Chief and Chief Operations Officer.

Second: Spencer Priest seconded.

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

XII. Future Agenda Items

- RESTORE Timeline and commitments
- Information on Historic Seawall
- Hotel Occupancy Tax Audits
- Update on Transfer of Funds per City Ordinance

XIII. Announcements

Kelly de Schaun announced that this meeting would be the last one for Michael Woody who has taken a new position.

XIV. Adjournment

The meeting was adjourned at 5:15 p.m.

Schel Heydenburg
Board Reporter

Dave Jacoby
Board Secretary



Agenda Item: Discuss And Consider Approval For Bus Stop Lighting Repair At Urban Park

Background:

Over the years lighting components in the bus stops along the Seawall have become inoperative. Staff consulted with an electrician to determine the most cost-efficient repairs. The price noted below is a “worst-case” “not to exceed” scenario, the electrician will troubleshoot each bus stop to determine the minimal repairs needed to make the lights operational.

Scope of work: as needed

- Controller Replacement
- Batteries Replacement
- LED Light Replacement

This item was recommended for approval by FOC on 1/10/2023.

Staff Recommendation:

Staff recommends awarding contract to Crescent Electric utilizing Buy Board contract # 638-21 for bus stop lighting repair at Urban Park with a not to exceed amount of \$31,033.24.

Funding Source (if applicable):

UP-51-5240 – M&R.



Agenda Item: Discuss and Consider Approval of Fiscal Year 2022 September Unaudited Financial Statements

Background: Below are the financial highlights as of September 30, 2022:

Quick Observations:

Net income was roughly \$6.8 million after FEMA. The performance of the local and state HOT collections are responsible for most of the increase to net income compared to last year. The Park Board collected \$19.5 million (Park Board's allocation – local and state combined) in HOT in FY2022, compared to roughly \$16 million in FY2021. Overall, operating revenues were up \$4.8 million over last year. Other factors contributing to the positive net income include:

- Received \$931.3k in FEMA reimbursements related to multiple projects across three different funds
- Received \$311k transfer from GLO for Beach Patrol services
- Collected \$195k in auction proceeds – auction of Park Board assets occurred in February 2022

Income Statement:

- **Revenues:**

YTD operating revenues, not including interfund transfers, exceeded budget by roughly \$6.4 million, totaling roughly \$26.8 million. The main causes for this were HOT collections coming in higher than budget (both local and state), the transfer from the GLO, and FEMA reimbursements received for previously completed projects related to Ike. The FEMA reimbursements can be broken down as follows:

- Beach Cleaning - \$188.2k
- Dellanera Park - \$142.3k
- R.A. Apffel - \$393.4k
- Stewart Beach - \$40.6k
- Seawolf Park - \$166.8k

Overall, YTD local HOT collections were roughly \$4.8 million higher than budget, and the YTD state rebate was roughly \$2.1 million higher than budget. Total HOT collections (local and state) were \$3.5 million higher than FY2021 actuals.

Park admissions for FY2022 were approximately \$5.42 million, which was \$140k lower than last year, and \$52k lower than budget.

Stewart Beach admissions were down \$291k compared to FY2021, but the drainage project kept the park closed through most of May 2022. R.A. Apffel admissions were up \$130k compared to FY2021 – this is likely due to the increased visitation while Stewart Beach was closed and increased popularity of the park.

Seawolf Park fishing revenue was down \$55k compared to budget, and \$77k down compared to FY2021. This is due to the flounder moratorium in the fall of 2021, but an improvement from the original projection of \$95k in fishing revenue loss at the beginning of the moratorium. Fishing revenue may be down, but admissions at Seawolf were \$42k over budget (\$23k lower than FY2021 actuals). The sub and ship admissions were up \$34k over budget and \$21.6k over FY2021 actuals. Overall, Seawolf's total revenue was \$79k lower than last year.

Concession revenue totaled \$620k in FY2022, roughly \$69.5k over FY2021 actuals.

Grant revenues totaled \$4.5 million – \$1.5 million received from the GLO for the Stewart Beach drainage project and \$3 million from TCEQ/RESTORE for the Babe’s Beach BUDM project.

- **Expenses:**

YTD operating expenses, excluding interfund transfers, came in at roughly \$19.9 million, roughly \$2.9 million, or 12.8%, lower than budget.

Personnel expenses totaled roughly \$10.3 million, and were \$616.2k, or 5.7% lower than budget. It should be noted that the budget variance for personnel expenses at 8/31/2022 was 912k under budget, at 5/30/2022 it was \$1.2 million under budget, and at 3/31/2022 it was \$1.4 million under budget – the increases to seasonal and some full-time pay rates has resulted in more positions being filled and the employee turnover rate being reduced by 12%. As predicted, the variance continued to shrink as the year progressed. The actions taken by the board to address labor issues have been effective.

Materials, Services, and Supplies totaled roughly \$7.8 million, that’s roughly \$884k, or 10.1% under budget. As predicted, the negative budget variance was eliminated in the September unaudited financial statements.

Capital Outlay totaled roughly \$1.2 million (GASB requires that enterprise fund capital outlays be capitalized as assets at yearend and placed on the balance sheet, thus, the actual capital outlay on the income statement is less than the \$1.2 million mentioned above - \$1.2 million in capital outlay less \$658.6k in capitalized assets = \$540.9k which matches the income statement). Capital outlay includes:

- \$144k wheel loader for CZM
- \$236k motor grader for CZM
- \$54k skid steer loader for CZM
- \$8.5k 4WD UTV for CZM
- \$30k on two side-by-side vehicles for Beach Patrol
- \$23k for a wave boat for Beach Patrol
- \$6.5k in capital improvements at the Plaza (flashing replacement)
- \$453k on equipment and improvements for the mobile amenities project at Stewart Beach
- \$15k slab improvement project at Seawolf Park
- \$9k sidewalk install at Seawolf Park

Debt service totaled \$45k (payments for the line of credit, Plaza, and CZM facility).

FEMA expenditures totaled roughly \$24k, and include small repairs at CZM, Stewart Beach, and Seawolf Park.

Balance Sheet

The FY2022 Balance Sheet is healthy. Not including Moody Gardens assets, total assets are approximately \$46.1 million and total liabilities were \$13.2 million.

- As of September 30, 2022, cash totaled roughly \$28.3 million, up roughly \$8.3 million from cash at 9/30/2021. The FY2022 ending cash balance was historically strong. It should be noted that pursuant to

ordinances 22-073 and 22-074, the Park Board transferred \$14.2 million to the City. As of January 6, 2023, there is \$10.7 million in the bank.

- For a full picture of the cash flows, please refer to the Statement of Cash Flows.

Of the \$28.3 million in cash, roughly \$12.4 million is operating cash and \$15.8 million is restricted. It should be noted that there was a \$3 million payment to the GLO for the Babe's Beach BUDM project that was accrued to FY2022, however, the cash was still in the bank at 9/30/2022. The expense cleared the bank in October 2022, and the expense was reimbursed by RESTORE in November 2022.

Financial Ratios:

- Current ratio: 3.7

The current ratio is a liquidity ratio. That means the Park Board has \$3.7 in current assets for every \$1 in current liabilities. Anything over 1 is desirable, and 3.7 is good. It's down from 9.9 in August. This is because of a \$1.3 million increase in accounts payable related to yearend expense accruals, a \$3.8 increase in accrued liabilities (\$3 million of which is the accrued Babe's Beach BUDM project expense), and a \$1.2 million increase in pass-thru funds which is HOT tax owed to the City that was still in the bank as of 9/30/2022. This is typical for a yearend month.

- Quick ratio: 3

Again, another liquidity ratio. This ratio measures cash over current liabilities. 3 is a good quick ratio. It is down from August's quick ratio for the same reasons the current ratio is down.

- Solvency ratio: 0.94

This ratio takes unrestricted/operating cash and divides it by total liabilities. It shows how much of total liabilities can be satisfied by unrestricted cash. The Park Board has \$0.94 in unrestricted cash for every \$1 of total liabilities. Anything over 0.20 is good. The Park Board continues to be a very solvent organization.

- Debt leverage ratio: 0.02

This means that roughly 2% of our total assets, not including Moody Gardens assets, are financed by debt. Anything less than 50% is good. There is room to take on additional debt.

- Working capital: \$25.3 million

Working capital is a measure of an organization's liquidity, operational efficiency, and its short-term financial health. It is calculated by reducing current assets by current liabilities. The Park Board had a strong positive working capital at 9/30/2022.

Hotel Occupancy Tax:

YTD HOT collections were the best on record with a penny value just under \$3.3 million. That's roughly \$800k higher than FY2021's penny value of \$2.5 million, which was a record at that time. While FY2022 collections were at all-time highs, August 2022 broke the 15 consecutive month streak of record HOT collections. The September 2022 penny value \$262k was also less than the September 2021 penny value. The September 2022 penny value was \$262k, and in September 2021 it was \$272k.

Short-term rental portion of total HOT collections was 53% in FY2022.

Staff Recommendation: Staff recommends approval of the fiscal year 2022 September unaudited financial statements.



GALVESTON ISLAND
Park Board of Trustees

Financial Statements

for the month ended September 30, 2022

Unaudited

Galveston Park Board of Trustees
Summarized - YTD Consolidated Income Statement
October 1, 2021 to September 30, 2022

	Current YTD Actual	Prior YTD Actual	Current Year Change	Current Year % Change	YTD Budget	YTD Budget Variance	YTD Budget Variance %
Revenue:							
Operating Revenue	26,798,512	22,646,289	4,152,223	18.3%	20,406,726	6,391,786	31.3%
Interfund Transfers	3,656,914	2,978,147	678,767	22.8%	3,185,470	471,444	14.8%
Total Operating Revenue	30,455,426	25,624,436	4,830,990	18.9%	23,592,196	6,863,230	29.1%
Expenses:							
Personnel Expenses	10,284,209	8,611,894	1,672,315	19.4%	10,900,382	616,173	5.7%
Materials/Supplies/Services	7,834,541	6,010,169	1,824,372	30.4%	8,718,428	883,887	10.1%
Interfund Transfers	3,656,914	2,978,147	678,767	22.8%	3,185,470	(471,444)	-14.8%
Special Projects	1,790,767	1,545,057	245,710	15.9%	3,220,994	1,430,227	44.4%
Total Operating Expense	23,566,431	19,145,267	4,421,164	23.1%	26,025,274	2,458,843	9.4%
Net Operating Income	6,888,995	6,479,169	409,826	6.3%	(2,433,078)	(9,322,073)	383.1%
Other Revenue/Expense:							
Loan Proceeds	0	0	0	#DIV/0!	932,000	(932,000)	-100.0%
Grant Proceeds	4,524,637	3,446,584	1,078,053	31.3%	7,317,099	(2,792,462)	-38.2%
Grant Expense	4,519,171	2,712,771	1,806,400	66.6%	7,053,126	(2,533,955)	-35.9%
Debt Service	455,231	575,424	(120,193)	-20.9%	651,780	196,549	30.2%
Capital Outlay	540,961	552,101	(11,140)	-2.0%	1,469,471	928,510	63.2%
Total Other Revenue/Expense	(990,726)	(393,712)	(597,014)	151.6%	(925,278)	(2,315,566)	250.3%
Net Income Excl FEMA	5,898,269	6,085,457	(187,188)	-3.1%	(3,358,356)	9,256,625	-275.6%
FEMA							
FEMA Reimbursement	(931,320)	(377,190)	(554,130)	146.9%	(5,288,219)	(4,356,899)	82.4%
FEMA Expenditures	24,025	112,474	(88,449)	-78.6%	5,547,985	5,523,960	99.6%
Total FEMA	(907,295)	(264,716)	(642,579)	242.7%	259,766	1,167,061	449.3%
Net Income After FEMA	6,805,564	6,350,173	455,391	7.2%	(3,618,122)	10,423,686	-288.1%
Use of Reserves	0	0	0	#DIV/0!	4,258,135	(4,258,135)	-100.0%
Net Income	6,805,564	6,350,173	455,391	7.2%	640,013	6,165,551	963.3%

**Park Board of Trustees
Balance Sheet
September 30, 2022**

	September 30, 2022			September 30, 2021			CHANGE
	GOVERNMENTAL	ENTERPRISE	TOTAL	GOVERNMENTAL	ENTERPRISE	TOTAL	
	FUNDS	FUNDS		FUNDS	FUNDS		
ASSETS							
CASH	27,289,525	944,325	28,233,850	19,295,200	603,099	19,898,299	8,335,552
INVESTMENTS	0		0	0		0	0
ACCOUNTS RECEIVABLE	5,920,541	2,107	5,922,648	3,089,918	14,431	3,104,349	2,818,299
ALLOWANCE FOR DOUBTFUL ACCOUNTS	0	0	0	0	0	0	0
NET ACCOUNT RECEIVABLES	5,920,541	2,107	5,922,648	3,089,918	14,431	3,104,349	2,818,299
INVENTORY	5,667	8,872	14,539	5,667	4,258	9,925	4,614
PREPAIDS	354,752	227,462	582,214	248,772	175,166	423,938	158,276
NET CAPITAL ASSETS-PARK BOARD	3,293,222	4,240,775	7,533,997	2,160,697	3,824,167	5,984,864	1,549,133
NET CAPITAL ASSETS-MOODY GARDENS	268,123,013	0	268,123,013	283,489,758	0	283,489,758	(15,366,745)
AMOUNT REQUIRED TO RETIRE DEBT	795,852	0	795,852	1,043,292	0	1,043,292	(247,440)
INTERFUND RECEIVABLE	2,797,799	193,179	2,990,979	2,797,799	193,180	2,990,979	0
OTHER ASSETS	30,706	0	30,706	31,621	0	31,621	(915)
TOTAL ASSETS	308,611,077	5,616,721	314,227,798	312,162,724	4,814,301	316,977,025	(2,749,226)
LIABILITIES							
ACCOUNTS PAYABLE	1,520,998	371,437	1,892,435	942,942	165,912	1,108,854	783,581
ACCRUED LIABILITIES	4,159,344	307,007	4,466,351	389,241	298,604	687,845	3,778,506
PASS THRU FUNDS	2,390,030	670,262	3,060,292	1,781,447	770,613	2,552,060	508,232
NOTES PAYABLE	795,852	35,501	831,353	1,043,292	65,099	1,108,391	(277,038)
INTERFUND PAYABLE	0	2,990,979	2,990,979	0	2,990,979	2,990,979	0
TOTAL LIABILITIES	8,866,224	4,375,186	13,241,410	4,156,922	4,291,207	8,448,129	4,793,281
FUND BALANCE							
FUND BALANCE	309,036,657	522,399	309,559,056	317,112,492	121,428	317,233,920	(7,674,864)
EARNINGS	(9,291,804)	719,136	(8,572,668)	(9,106,690)	401,666	(8,705,024)	132,356
TOTAL FUND BALANCE	299,744,853	1,241,535	300,986,388	308,005,802	523,094	308,528,896	(7,542,508)
NET EQUITY	308,611,077	5,616,721	314,227,798	312,162,724	4,814,301	316,977,025	(2,749,227)

Park Board of Trustees of the City of Galveston
Statement of Cash Flows
As of December 31, 2019

(In Whole Numbers)

	<u>Governmental</u>	<u>Enterprise</u>	<u>Consolidated</u>
Cash Flows from Operating Activities			
Net Increase/(Decrease) from Operations	6,591,132	1,466,040	8,057,172
Inventories- Decrease/(Increase)	0	(4,614)	(4,614)
Accounts Receivable - Decrease/(Increase)	(2,537,675)	12,324	(2,525,351)
Prepays - Decrease/(Increase)	(105,980)	(52,295)	(158,275)
Accounts Payable - Decrease/(Increase)	4,858,282	136,685	4,994,967
Accrued Liabilities - Decrease/(Increase)	98,460	(23,107)	75,353
Due From Due To - Decrease/(Increase)	0	0	0
Total Cash Flows from Operating Activities	8,904,219	1,535,033	10,439,252
Cash Flows from Investing Activities			
Petty Cash	0		0
Investment Securities-(Increase)/Decrease	916	0	916
FEMA/Insurance Expenditures-(Increase)/Decrease	(145)	(23,880)	(24,025)
Capital Expenditures-(Increase)/Decrease	(531,901)	(293,201)	(825,102)
Capital Assets	448,526	(752,178)	(303,653)
Depreciation	(448,526)	(72,148)	(520,674)
Total Cash Flows from Investing Activities	(531,131)	(1,141,407)	(1,672,538)
Cash Flows from Financing Activities			
Increase / (Decrease) in bank loans	(237,516)	(29,598)	(267,114)
Increase / (Decrease) long term debt	0		0
Increase / (Decrease) in capital leases	(141,248)	(22,801)	(164,049)
Total Cash Flows from Financing Activities	(378,764)	(52,399)	(431,163)
Net Increase (Decrease) In Cash and Cash Equivalents	\$ 7,994,324	\$ 341,227	\$ 8,335,552
Beginning Cash 10/01/2021			19,882,620
Beginning Petty Cash 10/01/2021			15,679
Cash increase/(decrease)			8,335,552
Ending Cash 09/30/2022			28,233,850
Cash Equivalents			0
Bond Discount			0
Total Cash Equivalents			0
Ending Cash & Cash Equivalents 09/30/2022			28,233,850

Park Board of Trustees
Cash as of September 30, 2022

	Pooled Cash - General Fund							Restricted Unpooled Cash - Maintained in Separate Funds				TOTAL		
	HOTEL TAX	PARKING	FEMA ADVANCE	HOTEL OCCUPANCY TAX COLLECTIONS	JUNIOR GUARD	Petty Cash	OPERATING	TOTAL POOLED	SAND REPLENISHMENT	SERIES 94	SERIES 99	Construction/Special Project	UNPOOLED	Total Cash
BEACH CLEANING							\$ 5,010,905	\$ 5,010,905					\$ -	\$ 5,010,905
BEACH PATROL	\$ 315,990				\$ 125,122	\$ 100	\$ 4,837,255	\$ 5,278,468					\$ -	\$ 5,278,468
DEBT SERVICE							\$ (29,722)	\$ (29,722)		\$ -	\$ 75,113	\$ 355,098	\$ 430,211	\$ 400,489
DELLANERA PARK			\$ 200,588			\$ 1,128	\$ 88,516	\$ 290,232					\$ -	\$ 290,232
EAST END LAGOON							\$ 64,268	\$ 64,268					\$ -	\$ 64,268
GENERAL FUND-ADMIN GRANTS				\$ 826,244		\$ 200	\$ 735,869	\$ 1,562,313					\$ -	\$ 1,562,313
NOURISHED BEACH	\$ 2,650,883						\$ -	\$ -					\$ -	\$ -
R. A. APFFEL PARK						\$ 5,000	\$ 324,733	\$ 2,975,616					\$ -	\$ 2,975,616
SAND REPLENISHMENT		\$ -					\$ (1,320,670)	\$ (1,315,670)					\$ -	\$ (1,315,670)
SEAWOLF PARK			\$ 66,863				\$ (1,771)	\$ (1,771)	\$ 233				\$ 233	\$ (1,538)
STEWART BEACH						\$ 700	\$ 754,954	\$ 822,517					\$ -	\$ 822,517
TOURISM DEVELOPMENT	\$ 10,464,240					\$ 6,700	\$ 417,850	\$ 424,550					\$ -	\$ 424,550
URBAN PARK (SEAWALL PKG)		\$ 709,170					\$ -	\$ 12,012,531					\$ -	\$ 12,012,531
	\$ 13,431,114	\$ 709,170	\$ 267,451	\$ 826,244	\$ 125,122	\$ 13,828	\$ 12,430,478	\$ 27,803,406	\$ 233	\$ -	\$ 75,113	\$ 355,098	\$ 430,444	\$ 28,233,850

Dellanera Park	\$ 88,516
R. A. Apfell	\$ (1,320,670)
Stewart Beach	\$ 417,850
Seawolf Park	\$ 754,954
Urban Park	\$ -
	<u>\$ (59,350)</u>

Beach Cleaning	\$ 5,010,905
Beach Patrol	\$ 4,837,255
Debt Service	\$ (29,722)
East End Lagoon	\$ 64,268
General Fund	\$ 735,869
Grants	\$ -
Nourished Beach	\$ 324,733
Sand Replenishment	\$ (1,771)
Tourism Develop	\$ 1,548,291
	<u>\$ 12,489,828</u>
Operating Cash	<u>\$ 12,430,478</u>

Park Board of Trustees of the City of Galveston
 Statement of Revenues and Expenditures
 From 9/1/2022 Through 9/30/2022

(In Whole Numbers)

	Current Period	Prior Year	Current Period	Current	Current Period	Current	Current	Current Year-To-	Prior Year-To-	Current Year	Current	YTD Budget	Total Budget	Total Budget
	Actual	Actual	Change	Period %	Budget	Budget Variance	% of Change	Date Actual	Date Actual	Change	Year %	Variance	Total Budget	Variance
Revenues														
Hotel Tax - City	1,038,098.00	1,304,689.00	(266,591.00)	-20.4%	854,032.00	184,066.00	21.6%	13,170,575.00	10,116,956.00	3,053,619.00	30.2%	4,770,575.00	8,400,000.00	4,770,575.00
State Hotel Tax Rebate	435,266.00	1,211,355.00	(776,089.00)	-64.1%	464,518.00	(29,252.00)	-6.3%	6,302,793.00	5,852,862.00	449,931.00	7.7%	2,102,793.00	4,200,000.00	2,102,793.00
Park Admissions	443,216.00	291,968.00	151,248.00	51.8%	486,618.00	(43,402.00)	-8.9%	5,420,185.00	5,560,110.00	(139,925.00)	-2.5%	(52,204.00)	5,472,389.00	(52,204.00)
GLO State Reimbursement	0.00	0.00	0.00	0.0%	411,000.00	(411,000.00)	-100.0%	311,000.00	69,721.00	241,279.00	0.0%	(100,000.00)	411,000.00	(100,000.00)
City/County Reimbursement	200,000.00	200,000.00	0.00	0.0%	250,000.00	(50,000.00)	-20.0%	250,000.00	250,000.00	0.00	0.0%	0.00	250,000.00	0.00
Insurance Reimbursement	0.00	15,790.00	(15,790.00)	-100.0%	93,000.00	(93,000.00)	-100.0%	69,741.00	21,437.00	48,304.00	225.3%	(23,259.00)	93,000.00	(23,259.00)
Loan Proceeds	0.00	(298,855.00)	298,855.00	-100.0%	932,000.00	(932,000.00)	-100.0%	0.00	0.00	0.00	0.0%	(932,000.00)	932,000.00	(932,000.00)
Grant Proceeds	3,074,850.00	298,855.00	2,775,995.00	928.9%	7,284,537.00	(4,209,687.00)	-57.8%	4,524,637.00	3,446,584.00	1,078,053.00	31.3%	(2,792,462.00)	7,317,099.00	(2,792,462.00)
Concession/Leases	119,788.00	50,488.00	69,300.00	137.3%	104,468.00	15,320.00	14.7%	620,802.00	551,327.00	69,475.00	12.6%	(166,558.00)	787,360.00	(166,558.00)
Interest/Investment Income	302.00	1,795.00	(1,493.00)	-83.2%	1,608.00	(1,307.00)	-81.2%	25,090.00	13,409.00	11,681.00	87.1%	5,790.00	19,300.00	5,790.00
Donations	0.00	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	187.00	(187.00)	0.0%	0.00	0.00	0.00
Miscellaneous	18,696.00	15,265.00	3,431.00	22.5%	104,289.00	(85,593.00)	-82.1%	628,326.00	210,280.00	418,046.00	198.8%	(145,351.00)	773,677.00	(145,351.00)
Total Revenues	5,330,216.00	3,091,350.00	2,238,866.00	72.4%	10,986,069.00	(5,655,854.00)	-51.5%	31,323,149.00	28,356,640.00	2,966,509.00	10.5%	2,667,324.00	28,655,825.00	2,667,324.00
Inter-Fund Transfers	822,441.00	799,968.00	22,473.00	2.8%	342,659.00	479,782.00	140.0%	3,656,914.00	2,978,147.00	678,767.00	22.8%	471,444.00	3,185,470.00	471,444.00
Total Revenue	6,152,657.00	3,891,318.00	2,261,339.00	58.1%	11,328,729.00	(5,176,072.00)	-45.7%	34,980,063.00	31,334,788.00	3,645,275.00	11.6%	3,138,769.00	31,841,295.00	3,138,769.00
Personnel Expenses	1,698,961.00	1,335,121.00	363,840.00	27.3%	1,402,905.00	(296,056.00)	21.1%	10,284,209.00	8,611,894.00	1,672,315.00	19.4%	616,174.00	10,900,382.00	616,174.00
Materials/Supplies/Services	4,240,028.00	1,237,602.00	3,002,426.00	242.6%	9,019,416.00	4,779,388.00	-53.0%	9,629,145.00	7,116,264.00	2,512,881.00	35.3%	3,249,173.00	12,878,318.00	3,249,173.00
Tourism Development Specific	713,367.00	260,337.00	453,030.00	174.0%	2,801,237.00	2,087,870.00	-74.5%	2,724,567.00	1,606,677.00	1,117,890.00	69.6%	168,669.00	2,893,236.00	168,669.00
Special Projects	800,633.00	666,542.00	134,091.00	20.1%	3,223,355.00	2,422,722.00	-75.2%	1,790,767.00	1,545,057.00	245,710.00	15.9%	1,430,227.00	3,220,994.00	1,430,227.00
Debt Service	21,654.00	53,169.00	(31,515.00)	-59.3%	326,440.00	304,786.00	-93.4%	455,231.00	575,425.00	(120,194.00)	-20.9%	196,549.00	651,780.00	196,549.00
Total Operating Expenses	7,474,643.00	3,552,771.00	3,921,872.00	110.4%	16,773,353.00	9,298,710.00	-55.4%	24,883,918.00	19,455,317.00	5,428,601.00	27.9%	5,660,792.00	30,544,711.00	5,660,792.00
Capital Assets	(400,889.00)	16,265.00	(417,154.00)	-2564.7%	1,483,489.00	1,884,378.00	-127.0%	540,961.00	552,100.00	(11,139.00)	-2.0%	928,510.00	1,469,471.00	928,510.00
Total Expenditures	7,073,754.00	3,569,036.00	3,504,718.00	98.2%	18,256,842.00	11,183,088.00	-61.3%	25,424,880.00	20,007,417.00	5,417,463.00	27.1%	6,589,302.00	32,014,182.00	6,589,302.00
Inter-Fund Transfers	822,441.00	799,968.00	22,473.00	2.8%	297,967.00	(524,474.00)	176.0%	3,656,914.00	2,978,147.00	678,767.00	22.8%	(471,444.00)	3,185,470.00	(471,444.00)
Total Expenditures	7,896,195.00	4,369,004.00	3,527,191.00	80.7%	17,885,710.00	10,833,610.00	-60.6%	24,969,648.00	19,431,993.00	5,537,655.00	28.5%	6,392,754.00	31,362,402.00	6,392,754.00
Net Income	(1,743,538.00)	(477,686.00)	(1,265,852.00)	265.0%	(7,226,081.00)	5,482,542.00	-75.9%	5,898,269.00	8,349,223.00	(2,450,954.00)	-29.4%	9,256,626.00	(3,358,357.00)	9,256,626.00
FEMA														
FEMA Reimbursement	0.00	(99,164.00)	99,164.00	-100.0%	(5,288,219.00)	(5,288,219.00)	-100.0%	(931,320.00)	(377,190.00)	(554,130.00)	146.9%	(4,356,899.00)	(5,288,219.00)	(4,356,899.00)
FEMA Expenditures	6,203.00	13,703.00	(7,500.00)	-54.7%	5,545,913.00	5,539,711.00	-99.9%	24,025.00	112,474.00	(88,449.00)	-78.6%	5,523,960.00	5,547,985.00	5,523,960.00
Total FEMA	6,203.00	(85,461.00)	91,664.00	-107.3%	257,694.00	251,492.00	-97.6%	(907,295.00)	(264,716.00)	(642,579.00)	242.7%	1,167,061.00	259,766.00	1,167,061.00
Net Income - Including FEMA	(1,749,741.00)	(392,225.00)	(1,357,516.00)	346.1%	(7,483,775.00)	5,734,034.00	-76.6%	6,805,565.00	8,613,939.00	(1,808,374.00)	-21.0%	10,423,688.00	(3,618,123.00)	10,423,688.00
Budget-Use of Reserves	0.00	0.00	0.00	0.0%	4,258,135.00	(4,258,135.00)	-100.0%	0.00	0.00	0.00	0.0%	(4,258,135.00)	4,258,135.00	(4,258,135.00)
Net Income	(1,749,741.00)	(392,225.00)	(1,357,516.00)	346.1%	(3,225,640.00)	1,475,899.00	-45.8%	6,805,565.00	8,613,939.00	(1,808,374.00)	-21.0%	6,165,553.00	640,012.00	6,165,553.00
Depreciation	1,299,528.00	1,276,358.00	23,170.00	1.8%	0.00	(1,299,528.00)	0.0%	15,378,233.00	15,055,195.00	323,038.00	2.1%	(15,378,233.00)	0.00	(15,378,233.00)
Net Income	(3,049,269.00)	(1,668,583.00)	(1,380,686.00)	82.7%	(3,225,640.00)	176,371.00	-5.5%	(8,572,668.00)	(6,441,256.00)	(2,131,412.00)	33.1%	(9,212,680.00)	640,012.00	(9,212,680.00)

Park Board of Trustees of the City of Galveston
Statement of Revenues and Expenditures
From 9/1/2022 Through 9/30/2022

(In Whole Numbers)

	Current Period	Prior Year	Current Period		Current Period		
	Actual	Current Period	Current Period	Percent of	Current Period	Current Period	Budget % of
	Actual	Actual	Change	Change	Budget	Budget Variance	Change
Revenues							
Hotel Tax - City	1,038,098.00	1,304,689.00	(266,591.00)	-20%	854,032.00	184,066.00	21.55%
State Hotel Tax Rebate	435,266.00	1,211,355.00	(776,089.00)	-64%	464,518.00	(29,252.00)	-6.29%
Park Admissions	443,216.00	291,968.00	151,248.00	52%	486,618.00	(43,402.00)	-8.91%
GLO State Reimbursement	0.00	0.00	0.00	0%	411,000.00	(411,000.00)	-100.00%
City/County Reimbursement	200,000.00	200,000.00	0.00	0%	250,000.00	(50,000.00)	-20.00%
Insurance Reimbursement	0.00	15,790.00	(15,790.00)	-100%	93,000.00	(93,000.00)	-100.00%
Loan Proceeds	0.00	(298,855.00)	298,855.00	-100%	932,000.00	(932,000.00)	-100.00%
Grant Proceeds	3,074,850.00	298,855.00	2,775,995.00	929%	7,284,537.00	(4,209,687.00)	-57.78%
Concession/Leases	119,788.00	50,488.00	69,300.00	137%	104,468.00	15,320.00	14.66%
Interest/Investment Income	302.00	1,795.00	(1,493.00)	-83%	1,608.00	(1,307.00)	-81.23%
Donations	0.00	0.00	0.00	0%	0.00	0.00	0.00%
Miscellaneous	<u>18,696.00</u>	<u>15,265.00</u>	<u>3,431.00</u>	<u>22%</u>	<u>104,289.00</u>	<u>(85,593.00)</u>	<u>-82.07%</u>
Total Revenues	<u>5,330,216.00</u>	<u>3,091,350.00</u>	<u>2,238,866.00</u>	<u>72%</u>	<u>10,986,069.00</u>	<u>(5,655,854.00)</u>	<u>-51.48%</u>
			0				
Inter-Fund Transfers	<u>822,441.00</u>	<u>799,968.00</u>	<u>22,473.00</u>	<u>3%</u>	<u>342,659.00</u>	<u>479,782.00</u>	<u>140.01%</u>
			0				
Total Revenue	<u>6,152,657.00</u>	<u>3,891,318.00</u>	<u>2,261,339.00</u>	<u>58%</u>	<u>11,328,729.00</u>	<u>(5,176,072.00)</u>	<u>-45.68%</u>
Personnel Expenses							
Recovered Labor	0.00	0.00	0.00	0%	0.00	0.00	0.00%
Salaries - Employees	1,121,475.00	904,047.00	217,428.00	24%	631,326.00	(490,150.00)	77.63%
Overtime Pay	8,100.00	25,417.00	(17,317.00)	-68%	26,537.00	18,437.00	-69.47%
Salaries - Security	29,531.00	30,883.00	(1,352.00)	-4%	25,191.00	(4,341.00)	17.23%
Salary - Incentive	129,963.00	101,909.00	28,054.00	28%	117,933.00	(12,030.00)	10.20%
Contract Labor	8,133.00	17,475.00	(9,342.00)	-53%	56,553.00	48,421.00	-85.61%
Payroll Taxes	87,512.00	89,900.00	(2,388.00)	-3%	51,624.00	(35,888.00)	69.51%
Pension Plan	36,457.00	35,997.00	460.00	1%	25,132.00	(11,326.00)	45.06%
Workers Compensation	11,250.00	9,142.00	2,108.00	23%	22,900.00	11,650.00	-50.87%
TWF - Unemployment	4,799.00	(27,324.00)	32,123.00	-118%	12,341.00	7,543.00	-61.11%
Auto Allowance	1,390.00	1,351.00	39.00	3%	750.00	(640.00)	85.39%
Drug Testing/Background	420.00	670.00	(250.00)	-37%	8,507.00	8,087.00	-95.06%
Employment Fee/Relocation	0.00	4,976.00	(4,976.00)	-100%	2,447.00	2,447.00	-100.00%
Employee Insurance	175,887.00	74,118.00	101,769.00	137%	175,048.00	(838.00)	0.47%
Uniforms	8,840.00	6,456.00	2,384.00	37%	23,056.00	14,216.00	-61.65%
Sick Leave/Vacation Accrual	75,203.00	60,107.00	15,096.00	25%	29,330.00	(45,873.00)	156.39%
Salary Contingency	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>	<u>194,229.00</u>	<u>194,229.00</u>	<u>-100.00%</u>
Total Personnel Expenses	<u>1,698,960.00</u>	<u>1,335,124.00</u>	<u>363,836.00</u>	<u>27%</u>	<u>1,402,905.00</u>	<u>(296,056.00)</u>	<u>21.10%</u>

Park Board of Trustees of the City of Galveston
Statement of Revenues and Expenditures
From 9/1/2022 Through 9/30/2022

(In Whole Numbers)

	Prior Year		Current Period		Current Period		
	Current Period	Current Period	Current Period	Percent of	Current Period	Current Period	Current Period
	Actual	Actual	Change	Change	Budget	Budget Variance	Budget % of Change
Materials/Supplies/Services							
Alarm System	1,102.00	1,195.00	(93.00)	-8%	2,327.00	1,225.00	-52.63%
Auto/Mileage Reimbursement	1,044.00	2,068.00	(1,024.00)	-50%	16,635.00	15,591.00	-93.72%
Banking Expenses	21,055.00	8,072.00	12,983.00	161%	26,290.00	5,235.00	-19.91%
Buoys	876.00	1,446.00	(570.00)	-39%	10,600.00	9,724.00	-91.73%
Buoys Construction	0.00	0.00	0.00	0%	6,500.00	6,500.00	-100.00%
Cash Over/Short	(208.00)	(63.00)	(145.00)	230%	0.00	208.00	0.00%
City- UP Reserve 15%	90,202.00	100,747.00	(10,545.00)	-10%	78,828.00	(11,374.00)	14.42%
City - UP Maintenance/Repair	580,060.00	669,866.00	(89,806.00)	-13%	52,552.00	(527,508.00)	1003.78%
Community Awareness	401.00	0.00	401.00	0%	12,200.00	11,799.00	-96.71%
Contract Services - Miscellaneous	14,222.00	7,309.00	6,913.00	95%	256,795.00	242,573.00	-94.46%
Contract Services - Copy Leases	2,073.00	2,082.00	(9.00)	0%	3,760.00	1,688.00	-44.87%
Contract Service - Dumping Fees	3,222.00	12,710.00	(9,488.00)	-75%	6,083.00	2,862.00	-47.04%
Contract Services - Port-a-Lets	8,405.00	5,185.00	3,220.00	62%	8,596.00	191.00	-2.22%
Cost of Sales	(2,629.00)	1,354.00	(3,983.00)	-294%	4,300.00	6,929.00	-161.14%
Data Processing/Software	1,784.00	3,115.00	(1,331.00)	-43%	24,275.00	22,491.00	-92.65%
Maintenance							
Discounts	0.00	0.00	0.00	0%	0.00	0.00	0.00%
Dues and Subscriptions	(2,369.00)	(5,615.00)	3,246.00	-58%	38,205.00	40,574.00	-106.20%
Equipment Rental	5,153.00	14,393.00	(9,240.00)	-64%	33,268.00	28,115.00	-84.51%
Gasoline	49,561.00	17,436.00	32,125.00	184%	14,825.00	(34,737.00)	234.31%
Grant - Other	3,045,788.00	5,434.00	3,040,354.00	55951%	7,020,564.00	3,974,776.00	-56.61%
Insurance	2,535.00	53,966.00	(51,431.00)	-95%	59,344.00	56,809.00	-95.72%
Junior Life Guard Expenditures	392.00	1,045.00	(653.00)	-62%	29,815.00	29,423.00	-98.68%
Licenses	50.00	1,115.00	(1,065.00)	-96%	1,346.00	1,296.00	-96.28%
Office Lease	83,806.00	30,808.00	52,998.00	172%	18,526.00	(65,279.00)	352.35%
Maintenance and Repair -	7,005.00	33,877.00	(26,872.00)	-79%	28,090.00	21,085.00	-75.06%
Maintenance and Repair -	19,847.00	31,048.00	(11,201.00)	-36%	39,279.00	19,433.00	-49.47%
Meetings and Seminars	9,488.00	4,111.00	5,377.00	131%	58,192.00	48,705.00	-83.69%
Memberships	(35,813.00)	(3,041.00)	(32,772.00)	1078%	131,195.00	167,008.00	-127.29%
Miscellaneous	57,897.00	20,807.00	37,090.00	178%	76,674.00	18,777.00	-24.48%
Postage	2,295.00	9,800.00	(7,505.00)	-77%	10,000.00	7,705.00	-77.05%
Postage - Courier Service	239.00	699.00	(460.00)	-66%	7,350.00	7,111.00	-96.74%
Professional Services - Auditors	0.00	0.00	0.00	0%	5,981.00	5,981.00	-100.00%

Park Board of Trustees of the City of Galveston
Statement of Revenues and Expenditures
From 9/1/2022 Through 9/30/2022

(In Whole Numbers)

	Prior Year			Current Period		Current Period	
	Current Period Actual	Current Period Actual	Current Period Change	Percent of Change	Current Period Budget	Current Period Budget Variance	Budget % of Change
Professional Services - Legal	141,107.00	19,367.00	121,740.00	629%	57,458.00	(83,649.00)	145.58%
Professional Services - Other	24,338.00	92,108.00	(67,770.00)	-74%	567,378.00	543,041.00	-95.71%
Radios	(426.00)	(1,983.00)	1,557.00	-79%	4,828.00	5,254.00	-108.82%
Signage	4,860.00	14,118.00	(9,258.00)	-66%	77,786.00	72,926.00	-93.75%
Small Tools & Equipment	28,843.00	11,012.00	17,831.00	162%	47,074.00	18,231.00	-38.72%
Supplies - Cleaning	1,242.00	912.00	330.00	36%	3,555.00	2,313.00	-65.06%
Supplies - First Aid	1,408.00	12,056.00	(10,648.00)	-88%	5,476.00	4,069.00	-74.29%
Supplies - Office	4,294.00	4,985.00	(691.00)	-14%	12,702.00	8,408.00	-66.19%
Supplies - Other	4,774.00	5,740.00	(966.00)	-17%	3,138.00	(1,636.00)	52.12%
Supplies - Paper Goods	215.00	2,164.00	(1,949.00)	-90%	2,219.00	2,004.00	-90.31%
Supplies - Stock Batteries, Oil, Flammable	2,395.00	496.00	1,899.00	383%	3,058.00	663.00	-21.66%
Supplies - Welding	851.00	361.00	490.00	136%	650.00	(201.00)	30.93%
Tickets - Gate Admissions	4,986.00	2,554.00	2,432.00	95%	4,628.00	(357.00)	7.71%
Tower Construction	0.00	0.00	0.00	0%	6,660.00	6,660.00	-100.00%
Training	3,304.00	5,831.00	(2,527.00)	-43%	97,063.00	93,759.00	-96.59%
Trash Barrels	0.00	0.00	0.00	0%	1,958.00	1,958.00	-100.00%
Trash Barrel Liners	1,995.00	0.00	1,995.00	0%	1,576.00	(419.00)	26.55%
Utilities - Electricity/Gas/Water	31,430.00	18,520.00	12,910.00	70%	19,500.00	(11,930.00)	61.18%
Utilities - Telephone	16,932.00	18,393.00	(1,461.00)	-8%	20,315.00	3,383.00	-16.65%
Total Materials/Supplies/Services	<u>4,240,031.00</u>	<u>1,237,603.00</u>	<u>3,002,428.00</u>	<u>243%</u>	<u>9,019,416.00</u>	<u>4,779,388.00</u>	<u>-52.99%</u>
Tourism Development Specific							
Advertising and Promotions	425.00	10,136.00	(9,711.00)	-96%	62,842.00	62,417.00	-99.32%
Advertising - R. A. Apffel	9,133.00	9,991.00	(858.00)	-9%	60,000.00	50,867.00	-84.77%
Advertising - Stewart Beach	20,741.00	28,645.00	(7,904.00)	-28%	60,000.00	39,259.00	-65.43%
Collateral	8,026.00	30,542.00	(22,516.00)	-74%	152,725.00	144,699.00	-94.74%
Floral/Client Amenities	0.00	294.00	(294.00)	-100%	1,500.00	1,500.00	-100.00%
Marketing Coop	0.00	500.00	(500.00)	-100%	30,700.00	30,700.00	-100.00%
Marketing Travel	20,624.00	39,337.00	(18,713.00)	-48%	124,400.00	103,776.00	-83.42%
Media Placement	498,286.00	32,429.00	465,857.00	1437%	1,796,800.00	1,298,514.00	-72.26%
Media Production	6,498.00	5,600.00	898.00	16%	10,000.00	3,503.00	-35.02%
Photography	5,691.00	6,353.00	(662.00)	-10%	10,000.00	4,309.00	-43.08%
Preplacement	0.00	0.00	0.00	#DIV/0!	5,000.00	5,000.00	-100.00%
Promotion Materials	44,805.00	25,770.00	19,035.00	74%	84,796.00	39,991.00	-47.16%
Public Relations	19,184.00	28,187.00	(9,003.00)	-32%	82,500.00	63,316.00	-76.74%
Sales Incentive	66,932.00	33,085.00	33,847.00	102%	263,000.00	196,068.00	-74.55%
Site Tours/Convention Solicitation	<u>13,021.00</u>	<u>9,468.00</u>	<u>3,553.00</u>	<u>38%</u>	<u>56,975.00</u>	<u>43,954.00</u>	<u>-77.14%</u>
Total Tourism Development	<u>713,366.00</u>	<u>260,337.00</u>	<u>453,029.00</u>	<u>174%</u>	<u>2,801,237.00</u>	<u>2,087,870.00</u>	<u>-74.53%</u>

Park Board of Trustees of the City of Galveston
Statement of Revenues and Expenditures
From 9/1/2022 Through 9/30/2022

(In Whole Numbers)

	Current Period	Prior Year	Current Period	Current Period	Current Period	Current Period	Current Period
	Actual	Current Period	Current Period	Percent of	Current Period	Current Period	Budget % of
	Actual	Actual	Change	Change	Budget	Budget Variance	Change
Special Projects							
Special Projects	412,514.00	363,431.00	49,083.00	14%	1,049,396.00	636,882.00	-60.69%
Unforeseen Special Projects	64,197.00	295,442.00	(231,245.00)	-78%	1,200,000.00	1,135,803.00	-94.65%
Contingency - Board Approval Required	<u>323,922.00</u>	<u>7,669.00</u>	<u>316,253.00</u>	4124%	<u>973,959.00</u>	<u>650,037.00</u>	-66.74%
Total Special Projects	<u>800,633.00</u>	<u>666,542.00</u>	<u>134,091.00</u>	<u>20%</u>	<u>3,223,355.00</u>	<u>2,422,722.00</u>	-75.16%
Debt Service							
Loans	7,496.00	(342.00)	7,838.00	-2292%	305,439.00	297,942.00	-97.54%
Capital Leases	<u>14,158.00</u>	<u>53,511.00</u>	<u>(39,353.00)</u>	-74%	<u>21,002.00</u>	<u>6,844.00</u>	-32.58%
Total Debt Service	<u>21,654.00</u>	<u>53,169.00</u>	<u>(31,515.00)</u>	-59%	<u>326,440.00</u>	<u>304,786.00</u>	-93.37%
Total Operating Expenses	<u>7,474,644.00</u>	<u>3,552,775.00</u>	<u>3,921,869.00</u>	#DIV/0! <u>110%</u>	<u>16,773,353.00</u>	<u>9,298,710.00</u>	-55.43%
Capital Assets							
Capital Improvements	(112,594.00)	(101,703.00)	(10,891.00)	11%	1,266,474.00	1,379,068.00	-108.89%
Car Counters & Cameras	0.00	0.00	0.00	0%	0.00	0.00	0.00%
Equipment	(297,745.00)	68,493.00	(366,238.00)	-535%	195,303.00	493,048.00	-252.45%
Gain/Loss on Sale of Equipment	0.00	0.00	0.00	0%	0.00	0.00	0.00%
Landscaping	9,450.00	48,626.00	(39,176.00)	-81%	21,712.00	12,262.00	-56.47%
Leasehold Improvements	<u>0.00</u>	<u>849.00</u>	<u>(849.00)</u>	-100%	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>
Total Capital Assets	(400,889.00)	<u>16,265.00</u>	(417,154.00)	-2565%	<u>1,483,489.00</u>	<u>1,884,378.00</u>	-127.02%
Total Expenditures	<u>7,073,755.00</u>	<u>3,569,040.00</u>	<u>3,504,715.00</u>	<u>98%</u>	<u>18,256,842.00</u>	<u>11,183,088.00</u>	-61.25%
Inter-Fund Transfers	<u>822,441.00</u>	<u>799,968.00</u>	<u>22,473.00</u>	<u>3%</u>	<u>297,967.00</u>	<u>(524,474.00)</u>	<u>176.01%</u>
Total Expenditures	<u>7,896,196.00</u>	<u>4,369,008.00</u>	<u>3,527,188.00</u>	<u>81%</u>	<u>17,885,710.00</u>	<u>10,833,610.00</u>	-60.57%
Net Income	(1,743,539.00)	(477,690.00)	(1,265,849.00)	265%	(7,226,081.00)	<u>5,482,542.00</u>	-75.87%
FEMA							
FEMA Reimbursement	0.00	(99,164.00)	99,164.00	-100%	(5,288,219.00)	(5,288,219.00)	-100.00%
FEMA Expenditures	<u>6,203.00</u>	<u>13,703.00</u>	<u>(7,500.00)</u>	-55%	<u>5,545,913.00</u>	<u>5,539,711.00</u>	-99.88%
Total FEMA	<u>6,203.00</u>	<u>(85,462.00)</u>	<u>91,665.00</u>	-107%	<u>257,694.00</u>	<u>251,492.00</u>	-97.59%
NI - Including FEMA	(1,749,742.00)	(392,228.00)	(1,357,514.00)	346%	(7,483,775.00)	<u>5,734,034.00</u>	-76.61%
Budget-Use of Reserves	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>	<u>4,258,135.00</u>	<u>(4,258,135.00)</u>	-100.00%

Park Board of Trustees of the City of Galveston
 Statement of Revenues and Expenditures
 From 9/1/2022 Through 9/30/2022

(In Whole Numbers)

	Current Period Actual	Prior Year Current Period Actual	Current Period Change	Current Period Percent of Change	Current Period Budget	Current Period Budget Variance	Current Period Budget % of Change
Net Income	<u>(1,749,742.00)</u>	<u>(392,228.00)</u>	<u>(1,357,514.00)</u>	346%	<u>(3,225,640.00)</u>	<u>1,475,899.00</u>	<u>-45.75%</u>
Depreciation	<u>1,299,528.00</u>	<u>1,276,358.00</u>	<u>23,170.00</u>	2%	<u>0.00</u>	<u>(1,299,528.00)</u>	<u>0.00%</u>
Net Income	<u>(3,049,270.00)</u>	<u>(1,668,586.00)</u>	<u>(1,380,684.00)</u>	83%	<u>(3,225,640.00)</u>	<u>176,371.00</u>	<u>-5.46%</u>

Park Board of Trustees of the City of Galveston
Consolidated - YTD Statement of Revenues and Expenditures
From 10/1/2021 Through 9/30/2022

(In Whole Numbers)

	<u>Current Year-To- Date Actual</u>	<u>Prior Year-To-Date Actual</u>	<u>Current Year Change</u>	<u>Current Year % Change</u>	<u>YTD Budget</u>	<u>YTD Budget Variance</u>	<u>Total Budget</u>	<u>Total Budget Variance</u>
Revenues								
Hotel Tax - City	13,170,575.00	10,116,956.00	3,053,619.00	30%	8,400,000.00	4,770,575.00	8,400,000.00	4,770,575.00
State Hotel Tax Rebate	6,302,793.00	5,852,862.00	449,931.00	8%	4,200,000.00	2,102,793.00	4,200,000.00	2,102,793.00
Park Admissions	5,420,185.00	5,560,110.00	(139,925.00)	-3%	5,472,389.00	(52,204.00)	5,472,389.00	(52,204.00)
GLO State Reimbursement	311,000.00	69,721.00	241,279.00	346%	411,000.00	(100,000.00)	411,000.00	(100,000.00)
City/County Reimbursement	250,000.00	250,000.00	0.00	0%	250,000.00	0.00	250,000.00	0.00
Insurance Reimbursement	69,741.00	21,437.00	48,304.00	225%	93,000.00	(23,259.00)	93,000.00	(23,259.00)
Loan Proceeds	0.00	0.00	0.00	0%	932,000.00	(932,000.00)	932,000.00	(932,000.00)
Grant Proceeds	4,524,637.00	3,446,584.00	1,078,053.00	31%	7,317,099.00	(2,792,462.00)	7,317,099.00	(2,792,462.00)
Concession/Leases	620,802.00	551,327.00	69,475.00	13%	787,360.00	(166,558.00)	787,360.00	(166,558.00)
Interest/Investment Income	25,090.00	13,409.00	11,681.00	87%	19,300.00	5,790.00	19,300.00	5,790.00
Donations	0.00	187.00	(187.00)	-100%	0.00	0.00	0.00	0.00
Miscellaneous	628,326.00	210,280.00	418,046.00	199%	773,677.00	(145,351.00)	773,677.00	(145,351.00)
Total Revenues	<u>31,323,149.00</u>	<u>26,092,873.00</u>	<u>5,230,276.00</u>	20%	<u>28,655,825.00</u>	<u>2,667,324.00</u>	<u>28,655,825.00</u>	<u>2,667,324.00</u>
Inter-Fund Transfers	<u>3,656,914.00</u>	<u>2,978,147.00</u>	<u>678,767.00</u>	23%	<u>3,185,470.00</u>	<u>471,444.00</u>	<u>3,185,470.00</u>	<u>471,444.00</u>
Total Revenue	<u>34,980,063.00</u>	<u>29,071,020.00</u>	<u>5,909,043.00</u>	20%	<u>31,841,295.00</u>	<u>3,138,769.00</u>	<u>31,841,295.00</u>	<u>3,138,769.00</u>
Personnel Expenses								
Recovered Labor	0.00	(1,200.00)	1,200.00	-100%	0.00	0.00	0.00	0.00
Salaries - Employees	7,648,129.00	6,243,684.00	1,404,445.00	22%	7,575,334.00	(72,795.00)	7,575,334.00	(72,795.00)
Overtime Pay	96,692.00	147,064.00	(50,372.00)	-34%	166,359.00	69,667.00	166,359.00	69,667.00
Salaries - Security	126,041.00	127,994.00	(1,953.00)	-2%	201,525.00	75,484.00	201,525.00	75,484.00
Salary - Incentive	152,682.00	111,807.00	40,875.00	37%	117,933.00	(34,749.00)	117,933.00	(34,749.00)
Contract Labor	122,884.00	155,313.00	(32,429.00)	-21%	201,720.00	78,836.00	201,720.00	78,836.00
Payroll Taxes	534,292.00	489,844.00	44,448.00	9%	605,955.00	71,663.00	605,955.00	71,663.00
Pension Plan	207,880.00	188,009.00	19,871.00	11%	297,767.00	89,887.00	297,767.00	89,887.00
Workers Compensation	130,940.00	94,090.00	36,850.00	39%	271,015.00	140,075.00	271,015.00	140,075.00
TWF - Unemployment	19,759.00	3,026.00	16,733.00	553%	38,097.00	18,338.00	38,097.00	18,338.00
Auto Allowance	10,369.00	10,488.00	(119.00)	-1%	9,000.00	(1,369.00)	9,000.00	(1,369.00)
Drug Testing/Background	9,996.00	10,486.00	(490.00)	-5%	17,978.00	7,982.00	17,978.00	7,982.00
Employment Fee/Relocation	350.00	5,551.00	(5,201.00)	-94%	3,822.00	3,472.00	3,822.00	3,472.00
Employee Insurance	1,082,808.00	903,816.00	178,992.00	20%	1,088,155.00	5,347.00	1,088,155.00	5,347.00
Uniforms	66,183.00	64,793.00	1,390.00	2%	79,871.00	13,688.00	79,871.00	13,688.00
Sick Leave/Vacation Accrual	75,203.00	57,129.00	18,074.00	32%	31,622.00	(43,581.00)	31,622.00	(43,581.00)
Salary Contingency	0.00	0.00	0.00	0%	194,229.00	194,229.00	194,229.00	194,229.00
Total Personnel Expenses	<u>10,284,209.00</u>	<u>8,611,894.00</u>	<u>1,672,315.00</u>	19%	<u>10,900,382.00</u>	<u>616,174.00</u>	<u>10,900,382.00</u>	<u>616,174.00</u>

Park Board of Trustees of the City of Galveston
Consolidated - YTD Statement of Revenues and Expenditures
From 10/1/2021 Through 9/30/2022

(In Whole Numbers)

	Current Year-To- Date Actual	Prior Year-To-Date Actual	Current Year Change	Current Year % Change	YTD Budget	YTD Budget Variance	Total Budget	Total Budget Variance
Materials/Supplies/Services								
Alarm System	13,694.00	16,375.00	(2,681.00)	-16%	15,820.00	2,126.00	15,820.00	2,126.00
Auto/Mileage Reimbursement	5,756.00	5,842.00	(86.00)	-1%	16,635.00	10,879.00	16,635.00	10,879.00
Banking Expenses	238,229.00	261,080.00	(22,851.00)	-9%	297,839.00	59,610.00	297,839.00	59,610.00
Buoys	5,317.00	6,234.00	(917.00)	-15%	10,600.00	5,283.00	10,600.00	5,283.00
Buoys Construction	1,002.00	2,807.00	(1,805.00)	-64%	6,500.00	5,498.00	6,500.00	5,498.00
Cash Over/Short	1,314.00	1,056.00	258.00	24%	0.00	(1,314.00)	0.00	(1,314.00)
City- UP Reserve 15%	282,409.00	265,682.00	16,727.00	6%	315,310.00	32,901.00	315,310.00	32,901.00
City - UP Maintenance/Repair	580,060.00	669,866.00	(89,806.00)	-13%	210,207.00	(369,853.00)	210,207.00	(369,853.00)
Community Awareness	4,174.00	24,037.00	(19,863.00)	-83%	12,200.00	8,026.00	12,200.00	8,026.00
Contract Services - Miscellaneous	327,183.00	306,842.00	20,341.00	7%	441,086.00	113,903.00	441,086.00	113,903.00
Contract Services - Copy Leases	26,476.00	24,155.00	2,321.00	10%	29,175.00	2,699.00	29,175.00	2,699.00
Contract Service - Dumping Fees	42,092.00	49,630.00	(7,538.00)	-15%	64,000.00	21,908.00	64,000.00	21,908.00
Contract Services - Port-a-Lets	72,660.00	52,237.00	20,423.00	39%	65,343.00	(7,317.00)	65,343.00	(7,317.00)
Cost of Sales	21,399.00	2,839.00	18,560.00	654%	12,550.00	(8,849.00)	12,550.00	(8,849.00)
Data Processing/Software Maintenance	222,515.00	178,026.00	44,489.00	25%	219,096.00	(3,419.00)	219,096.00	(3,419.00)
Discounts	0.00	(19.00)	19.00	-100%	0.00	0.00	0.00	0.00
Dues and Subscriptions	22,070.00	20,883.00	1,187.00	6%	38,225.00	16,155.00	38,225.00	16,155.00
Equipment Rental	27,275.00	20,234.00	7,041.00	35%	39,742.00	12,467.00	39,742.00	12,467.00
Gasoline	243,952.00	109,497.00	134,455.00	123%	131,650.00	(112,302.00)	131,650.00	(112,302.00)
Grant - Other	4,519,171.00	2,712,771.00	1,806,400.00	67%	7,053,126.00	2,533,955.00	7,053,126.00	2,533,955.00
Insurance	555,880.00	587,317.00	(31,437.00)	-5%	629,612.00	73,732.00	629,612.00	73,732.00
Junior Life Guard Expenditures	20,902.00	9,896.00	11,006.00	111%	29,815.00	8,913.00	29,815.00	8,913.00
Licenses	2,710.00	3,427.00	(717.00)	-21%	5,815.00	3,105.00	5,815.00	3,105.00
Office Lease	217,996.00	115,360.00	102,636.00	89%	222,316.00	4,320.00	222,316.00	4,320.00
Maintenance and Repair - Buildings	190,036.00	157,701.00	32,335.00	21%	389,593.00	199,557.00	389,593.00	199,557.00
Maintenance and Repair - Equipment	181,765.00	179,248.00	2,517.00	1%	198,879.00	17,115.00	198,879.00	17,115.00
Meetings and Seminars	61,409.00	23,628.00	37,781.00	160%	79,316.00	17,907.00	79,316.00	17,907.00
Memberships	92,997.00	82,917.00	10,080.00	12%	142,045.00	49,048.00	142,045.00	49,048.00
Miscellaneous	152,299.00	74,938.00	77,361.00	103%	242,905.00	90,606.00	242,905.00	90,606.00
Postage	12,283.00	9,775.00	2,508.00	26%	10,000.00	(2,283.00)	10,000.00	(2,283.00)
Postage - Courier Service	6,152.00	5,863.00	289.00	5%	9,267.00	3,115.00	9,267.00	3,115.00
Professional Services - Auditors	66,950.00	65,000.00	1,950.00	3%	70,789.00	3,839.00	70,789.00	3,839.00
Professional Services - Legal	257,409.00	109,023.00	148,386.00	136%	172,500.00	(84,909.00)	172,500.00	(84,909.00)
Professional Services - Other	297,058.00	309,707.00	(12,649.00)	-4%	619,056.00	321,998.00	619,056.00	321,998.00
Radios	15,893.00	19,282.00	(3,389.00)	-18%	41,449.00	25,556.00	41,449.00	25,556.00
Signage	47,681.00	55,885.00	(8,204.00)	-15%	127,255.00	79,575.00	127,255.00	79,575.00

Park Board of Trustees of the City of Galveston
Consolidated - YTD Statement of Revenues and Expenditures
From 10/1/2021 Through 9/30/2022

(In Whole Numbers)

	Current Year-To-		Prior Year-To-Date	Current Year	Current Year	YTD Budget		Total Budget	Total Budget
	Date	Actual	Actual	Change	% Change	YTD Budget	Variance	Total Budget	Variance
Small Tools & Equipment		143,844.00	40,949.00	102,895.00	251%	120,654.00	(23,190.00)	120,654.00	(23,190.00)
Supplies - Cleaning		14,773.00	12,645.00	2,128.00	17%	24,288.00	9,514.00	24,288.00	9,514.00
Supplies - First Aid		7,494.00	23,631.00	(16,137.00)	-68%	29,967.00	22,473.00	29,967.00	22,473.00
Supplies - Office		39,470.00	32,635.00	6,835.00	21%	42,821.00	3,352.00	42,821.00	3,352.00
Supplies - Other		32,390.00	21,059.00	11,331.00	54%	33,155.00	765.00	33,155.00	765.00
Supplies - Paper Goods		7,586.00	10,782.00	(3,196.00)	-30%	23,756.00	16,170.00	23,756.00	16,170.00
Supplies - Stock Batteries, Oil, Fluids		9,747.00	983.00	8,764.00	892%	10,391.00	644.00	10,391.00	644.00
Supplies - Welding		5,448.00	5,566.00	(118.00)	-2%	7,800.00	2,352.00	7,800.00	2,352.00
Tickets - Gate Admissions		15,428.00	9,918.00	5,510.00	56%	12,450.00	(2,978.00)	12,450.00	(2,978.00)
Tower Construction		5,036.00	2,267.00	2,769.00	122%	6,660.00	1,624.00	6,660.00	1,624.00
Training		102,453.00	41,941.00	60,512.00	144%	137,537.00	35,084.00	137,537.00	35,084.00
Trash Barrels		15,567.00	12,078.00	3,489.00	29%	45,500.00	29,933.00	45,500.00	29,933.00
Trash Barrel Liners		14,427.00	13,430.00	997.00	7%	19,954.00	5,527.00	19,954.00	5,527.00
Utilities - Electricity/Gas/Water		195,158.00	183,295.00	11,863.00	6%	206,500.00	11,342.00	206,500.00	11,342.00
Utilities - Telephone		184,159.00	166,043.00	18,116.00	11%	187,169.00	3,010.00	187,169.00	3,010.00
Total Materials/Supplies/Services		<u>9,629,145.00</u>	<u>7,116,263.00</u>	<u>2,512,882.00</u>	35%	<u>12,878,318.00</u>	<u>3,249,173.00</u>	<u>12,878,318.00</u>	<u>3,249,173.00</u>
Tourism Development Specific									
Advertising and Promotions		24,881.00	36,694.00	(11,813.00)	-32%	63,300.00	38,419.00	63,300.00	38,419.00
Advertising - R. A. Apffel		31,293.00	22,576.00	8,717.00	39%	52,000.00	20,707.00	52,000.00	20,707.00
Advertising - Stewart Beach		57,390.00	68,934.00	(11,544.00)	-17%	53,000.00	(4,390.00)	53,000.00	(4,390.00)
Collateral		107,666.00	85,834.00	21,832.00	25%	143,275.00	35,609.00	143,275.00	35,609.00
Floral/Client Amenities		899.00	823.00	76.00	9%	1,500.00	601.00	1,500.00	601.00
Marketing Coop		37,148.00	15,000.00	22,148.00	148%	44,225.00	7,077.00	44,225.00	7,077.00
Marketing Travel		173,248.00	94,143.00	79,105.00	84%	193,186.00	19,938.00	193,186.00	19,938.00
Media Placement		1,776,272.00	1,055,123.00	721,149.00	68%	1,796,800.00	20,528.00	1,796,800.00	20,528.00
Media Production		10,601.00	8,642.00	1,959.00	23%	10,000.00	(601.00)	10,000.00	(601.00)
Photography		12,716.00	7,967.00	4,749.00	60%	10,000.00	(2,716.00)	10,000.00	(2,716.00)
Preplacement		0.00	0.00	0.00	0%	5,000.00	5,000.00	5,000.00	5,000.00
Promotion Materials		114,551.00	63,892.00	50,659.00	79%	100,750.00	(13,801.00)	100,750.00	(13,801.00)
Public Relations		83,108.00	52,228.00	30,880.00	59%	82,500.00	(608.00)	82,500.00	(608.00)
Sales Incentive		236,887.00	62,085.00	174,802.00	282%	263,000.00	26,113.00	263,000.00	26,113.00
Site Tours/Convention Solicitation		57,909.00	32,736.00	25,173.00	77%	74,700.00	16,791.00	74,700.00	16,791.00
Total Tourism Development Specific		<u>2,724,567.00</u>	<u>1,606,677.00</u>	<u>1,117,890.00</u>	70%	<u>2,893,236.00</u>	<u>168,669.00</u>	<u>2,893,236.00</u>	<u>168,669.00</u>

Park Board of Trustees of the City of Galveston
Consolidated - YTD Statement of Revenues and Expenditures
From 10/1/2021 Through 9/30/2022

(In Whole Numbers)

	<u>Current Year-To- Date Actual</u>	<u>Prior Year-To-Date Actual</u>	<u>Current Year Change</u>	<u>Current Year % Change</u>	<u>YTD Budget</u>	<u>YTD Budget Variance</u>	<u>Total Budget</u>	<u>Total Budget Variance</u>
Special Projects								
Special Projects	860,051.00	592,142.00	267,909.00	45%	1,047,035.00	186,984.00	1,047,035.00	186,984.00
Unforeseen Special Projects	594,423.00	911,683.00	(317,260.00)	-35%	1,200,000.00	605,577.00	1,200,000.00	605,577.00
Contingency - Board Approval Required	<u>336,293.00</u>	<u>41,232.00</u>	<u>295,061.00</u>	716%	<u>973,959.00</u>	<u>637,666.00</u>	<u>973,959.00</u>	<u>637,666.00</u>
Total Special Projects	<u>1,790,767.00</u>	<u>1,545,057.00</u>	<u>245,710.00</u>	16%	<u>3,220,994.00</u>	<u>1,430,227.00</u>	<u>3,220,994.00</u>	<u>1,430,227.00</u>
Debt Service								
Loans	291,182.00	291,671.00	(489.00)	0%	399,758.00	108,576.00	399,758.00	108,576.00
Capital Leases	<u>164,049.00</u>	<u>283,753.00</u>	<u>(119,704.00)</u>	-42%	<u>252,022.00</u>	<u>87,973.00</u>	<u>252,022.00</u>	<u>87,973.00</u>
Total Debt Service	<u>455,231.00</u>	<u>575,424.00</u>	<u>(120,193.00)</u>	-21%	<u>651,780.00</u>	<u>196,549.00</u>	<u>651,780.00</u>	<u>196,549.00</u>
Total Operating Expenses	<u>24,883,918.00</u>	<u>19,455,315.00</u>	<u>5,428,603.00</u>	28%	<u>30,544,711.00</u>	<u>5,660,792.00</u>	<u>30,544,711.00</u>	<u>5,660,792.00</u>
Capital Assets								
Capital Improvements	9,648.00	101,977.00	(92,329.00)	-91%	900,328.00	890,680.00	900,328.00	890,680.00
Car Counters & Cameras	0.00	0.00	0.00	0%	0.00	0.00	0.00	0.00
Equipment	533,045.00	476,540.00	56,504.00	12%	545,758.00	12,713.00	545,758.00	12,713.00
Gain/Loss on Sale of Equipment	(23,000.00)	(88,981.00)	65,981.00	-74%	0.00	23,000.00	0.00	23,000.00
Landscaping	21,269.00	60,263.00	(38,994.00)	-65%	23,385.00	2,116.00	23,385.00	2,116.00
Leasehold Improvements	0.00	2,302.00	(2,302.00)	-100%	0.00	0.00	0.00	0.00
Total Capital Assets	<u>540,961.00</u>	<u>552,101.00</u>	<u>(11,140.00)</u>	-2%	<u>1,469,471.00</u>	<u>928,510.00</u>	<u>1,469,471.00</u>	<u>928,510.00</u>
Total Expenditures	<u>25,424,880.00</u>	<u>20,007,416.00</u>	<u>5,417,464.00</u>	27%	<u>32,014,182.00</u>	<u>6,589,302.00</u>	<u>32,014,182.00</u>	<u>6,589,302.00</u>
Inter-Fund Transfers	<u>3,656,914.00</u>	<u>2,978,147.00</u>	<u>678,767.00</u>	23%	<u>3,185,470.00</u>	<u>(471,444.00)</u>	<u>3,185,470.00</u>	<u>(471,444.00)</u>
Total Expenditures	<u>29,081,794.00</u>	<u>22,985,563.00</u>	<u>6,096,231.00</u>	27%	<u>35,199,652.00</u>	<u>6,117,858.00</u>	<u>35,199,652.00</u>	<u>6,117,858.00</u>
Net Income	<u>5,898,269.00</u>	<u>6,085,457.00</u>	<u>(187,188.00)</u>	-3%	<u>(3,358,357.00)</u>	<u>9,256,626.00</u>	<u>(3,358,357.00)</u>	<u>9,256,626.00</u>
FEMA								
FEMA Reimbursement	(931,320.00)	(377,190.00)	(554,130.00)	147%	(5,288,219.00)	(4,356,899.00)	(5,288,219.00)	(4,356,899.00)
FEMA Expenditures	24,025.00	112,474.00	(88,449.00)	-79%	5,547,985.00	5,523,960.00	5,547,985.00	5,523,960.00
Total FEMA	<u>(907,295.00)</u>	<u>(264,716.00)</u>	<u>(642,579.00)</u>	243%	<u>259,766.00</u>	<u>1,167,061.00</u>	<u>259,766.00</u>	<u>1,167,061.00</u>
NI - Including FEMA	<u>6,805,564.00</u>	<u>6,350,173.00</u>	<u>455,391.00</u>	7%	<u>(3,618,123.00)</u>	<u>10,423,688.00</u>	<u>(3,618,123.00)</u>	<u>10,423,688.00</u>

Park Board of Trustees of the City of Galveston
 Consolidated - YTD Statement of Revenues and Expenditures
 From 10/1/2021 Through 9/30/2022

(In Whole Numbers)

	<u>Current Year-To- Date Actual</u>	<u>Prior Year-To-Date Actual</u>	<u>Current Year Change</u>	<u>Current Year % Change</u>	<u>YTD Budget</u>	<u>YTD Budget Variance</u>	<u>Total Budget</u>	<u>Total Budget Variance</u>
Budget-Use of Reserves	0.00	0.00	0.00	0%	4,258,135.00	(4,258,135.00)	4,258,135.00	(4,258,135.00)
Net Income	6,805,564.00	6,350,173.00	455,391.00	7%	640,012.00	6,165,553.00	640,012.00	6,165,553.00
Depreciation	15,378,233.00	15,055,195.00	323,038.00	2%	0.00	(15,378,233.00)	0.00	(15,378,233.00)
Net Income	(8,572,669.00)	(8,705,022.00)	132,353.00	-2%	640,012.00	(9,212,680.00)	640,012.00	(9,212,680.00)

Park Board of Trustees

Park Admissions

September 30, 2022

	<u>Prior Year</u>		<u>Current</u> <u>Period</u> <u>Change</u>	<u>Current Period</u> <u>Budget</u>	<u>Current Period</u> <u>Budget</u> <u>Variance</u>	<u>YTD Actual</u>	<u>Prior Year</u>		<u>YTD Budget</u>	<u>YTD Budget</u> <u>Variance</u>	<u>Total Budget</u>	<u>Total Budget</u> <u>Variance</u>
	<u>Current</u> <u>Period</u> <u>Actual</u>	<u>Current</u> <u>Period</u> <u>Actual</u>					<u>Actual</u>	<u>Year</u> <u>Change</u>				
Beach User-Restricted												
Dellanera Park-Parking	1,590	3,552	(1,962)	3,107	(1,517)	31,687	35,787	(4,100)	35,890	(4,203)	35,890	(4,203)
R. A. Apffel Park	32,375	52,093	(19,718)	31,740	635	668,530	538,025	130,505	529,000	139,530	529,000	139,530
Stewart Beach Park	57,305	74,521	(17,216)	103,107	(45,802)	602,006	892,852	(290,846)	759,900	(157,894)	759,900	(157,894)
	91,270	130,166	(38,896)	137,954	(46,684)	1,302,223	1,466,664	(164,441)	1,324,790	(22,567)	1,324,790	(22,567)
Variance as Percent			-29.88%		-33.84%			-11.21%		-1.70%		-1.70%
UP/Seawall Parking	145,225	143,898	1,327	178,439	(33,214)	1,882,728	1,771,212	111,516	2,097,269	(214,541)	2,097,269	(214,541)
Variance as Percent			1%		-18.61%			6.30%		-10.23%		-10.23%
Total Beach User	236,495	274,064	(37,569)	316,393	(79,898)	3,184,951	3,237,876	(52,925)	3,422,059	(237,108)	3,422,059	(237,108)
Variance as Percent			-13.71%		-25.25%			-1.63%		-6.93%		-6.93%
Dellanera Park												
Camping - Restricted	23,322	(32,865)	56,187	19,336	3,986	313,130	317,005	(3,875)	264,330	48,800	264,330	48,800
Camping - Unrestricted	55,203	(76,522)	131,726	51,864	3,339	741,179	745,236	(4,057)	625,670	115,509	625,670	115,509
	78,525	(109,387)	187,913	71,200	7,325	1,054,309	1,062,241	(7,932)	890,000	164,309	890,000	164,309
Variance as Percent			-172%		10%			-1%		18%		18%
Seawolf - Gate	36,202	41,704	(5,502)	27,525	8,677	386,856	410,149	(23,294)	344,980	41,876	344,980	41,876
Seawolf - Sub & Ship	18,249	7,898	10,351	1,500	16,749	57,393	35,778	21,615	23,350	34,043	23,350	34,043
Seawolf - Fishing Pier	73,744	77,690	(3,946)	70,000	3,744	736,676	814,067	(77,391)	792,000	(55,324)	792,000	(55,324)
	128,195	127,292	903	99,025	29,170	1,180,925	1,259,994	(79,070)	1,160,330	20,595	1,160,330	20,595
Variance as Percent			1%		29%			-6%		2%		2%
Total Park Admissions	443,215	291,969	151,247	486,618	(43,403)	5,420,185	5,560,111	(139,927)	5,472,389	(52,204)	5,472,389	(52,204)
Variance as Percent			52%		-9%			-3%		-1%		-1%



Agenda Item: Discuss and Consider Approval of Lease Agreement with Visual Edge IT for Park Board Plaza Printer/Copier Machines

Background: In August 2020, the Park Board entered into a lease agreement with Visual Edge for two printer/copiers for the main office. This agreement is scheduled to expire in 2025. These machines have begun to experience frequent mechanical failures. Visual Edge has offered to replace these with two new machines at the same monthly rental rate of \$1,908.00. In addition, they are also offering a reduction in overage charges from the current B/W rate of .0098 to .0061 and Color rate of .049 to .042 contingent on a new 63 month agreement.

Staff Recommendation: Staff is recommending entering into the new agreement with Visual Edge IT for replacement of the current printer/copiers and the lower copy overage rate.

This item was presented to the Finance and Operations Committee on Tuesday, January 10, 2023 and approved unanimously (4-0).

Funding Source (if applicable):
GF50-5130 and TD70-5130



Agenda Item: Discuss and Consider Approval of Memorandum of Understanding with City of Galveston for Trolley Advertising Program

Background: The City had an agreement with a prior company to handle all functions related to the trolley advertising program. As the contract neared completion, the City engaged in conversations with Visit Galveston about handling this book of business on behalf of the city.

The trolley advertising program offers a very affordable advertising option for local businesses. All advertising sales will be handled internally by the Business Development Manager. In addition to managing the sales process, Visit Galveston will handle the accounting, creative and production processes and will split the revenue generated 50/50 with the city.

The MOU was drafted by the City of Galveston and has been vetted and approved by our legal counsel.

Staff Recommendation: Staff recommends signing the MOU between the two organizations, which will then be incorporated into the new interlocal agreement between the City and Park Board.

Memorandum of Understanding
City of Galveston and Park Board of Trustees of the City of Galveston
[Transit Assets Advertising]

The City of Galveston (City) and the Park Board of Trustees of the City of Galveston (Park Board) are in the process of discussing terms, conditions, and deliverables of the existing interlocal agreement between the two parties.

This Memorandum of Understanding (MOU) between the two parties will go into effect upon signature and will expire in one year from the date of effect or upon agreement of a new Interlocal Agreement, whichever occurs first. This MOU, may be extended up to an additional one (1) year if a new Interlocal Agreement is not entered into within the above stated one (1) year time frame.

Under this Memorandum of Understanding, the Park Board will promote and sell advertising on Island Transit vehicles, bus and trolley shelters, and other fixed transit assets (Transit Assets) in accordance herein.

A. Terms and conditions include the following:

- Revenue generated from advertising will be split as follows. Island Transit will receive 50 percent of gross advertising sales before any expenses, the Park Board will retain the net amount after associated advertising expenses are paid from the other 50 percent of gross advertising sales. Proceeds due to Island Transit will be wired to the City within 10 days following each “quarter end” time period.
- The Park Board will pay all costs associated with the promotion and sale of advertising as well as all production of advertising and promotional materials.
- Payment Terms. The Park Board will submit revenue payments to Island Transit no later than 10 days after the preceding “quarter end” time period. Payment amount will be determined utilizing Cash Based Accounting.
- Excluding exterior signs on trolley vehicles, 5% of the advertising space on rolling stock inventory shall be reserved for Island Transit use. Unused trolley shelters signs can be provided to eligible non-profit organizations to be use as Public Service Announcements. (PSA).
- The city will maintain frames, TVs, hardware or other city owned transit assets in place at the time this agreement is signed.
- Loss of Inventory and Refunds. If a Transit asset is taken out of service or has been destroyed, the Park Board may have to refund a customer’s payment. If required, Island Transit will only be responsible for reimbursement for revenue it received. The balance of any refund will be deducted proportionally from funds collected.

- Vandalism. If advertisements on transit assets are destroyed/rendered unusable due to vandalism, the parties will split the straight cost of replacing the advertisement in accordance with the following:
 - Replacement costs are determined upon the cost of the printing.
 - The City maintains the option to reimburse the replacement determination cost, make a refund, or to extend the advertising period.
 - If the advertisement is destroyed within 30 days of its contract expiration, one-twelfth (1/12) of the contract price may be refunded. If the client would like to renew for another year, full cost of replacement will be covered.

B. Limits of Advertising:

- i. The advertisement proposes a commercial transaction, and the advertisement or information contained in the advertisement is false, misleading or deceptive.
- ii. The advertisement or information promotes unlawful or illegal goods, service, or activities.
- iii. The advertisement or information implies or declares an endorsement by Island Transit of any service, product or point of view without prior written authorization from Island Transit.
- iv. The advertisement contains an image of a person, who appears to be a minor, in sexually suggestive dress, pose or context.
- v. The advertisement, or any information, is directly averse to the commercial or administrative interest of Island Transit, or is harmful to the morale of Island Transit employees.
- vi. The advertisement contains images or information that demean an individual or group of individuals on account of race, color, religion, national origin, ancestry, gender, age, veteran's status, disability, or sexual orientation.
- vii. The advertisement contains images or information that that would be deemed by a significant segment of the local public to be violent, frightening or otherwise disturbing as to be harmful to minors.
- viii. The advertisement promotes an escort service, dating service, or sexually oriented business.
- ix. The advertisement contains images or information that would be deemed by a significant segment of the local public to be offensive, improper, or in bad taste.

- x. The advertisement promotes the use of alcohol and/or tobacco products.
- xi. The advertisement contains political information that implies or declares an endorsement or political point of view pertaining to Island Transit or the City of Galveston.

C. Interlocal Agreement:

The Parties agree the above terms of this Memorandum of Understanding will be included, in substantially similar form and content, in the completed Interlocal Agreement regarding advertising on Transit assets.

This Agreement may only be amended by the mutual agreement of the Parties hereto in writing. By execution of this Agreement, the Parties agree that each has received a copy of this Agreement.

City of Galveston
Office of the City Manager
Brian Maxwell

Park Board of Trustees
Chief Executive Officer
Kelly de Schaun

By: _____
City Manager
Date: _____

By: _____
Chief Executive Officer
Date: _____

ATTEST:

ATTEST:

By: _____
Janelle Williams, City Secretary

By: _____
Dave Jacoby, Secretary

Approved as To Form:

Approved as To Form:

City Attorney's Office

Legal Counsel

Tourism Development Marketing Deliverables

January 24, 2023

Discuss and Consider Approval of Tourism Development Expenditures

Background

The following expenditures are part of Visit Galveston's 2022-2023 annual budget, which is developed with the assistance and guidance from the Park Board and tourism partners. Staff is requesting approval of the following deliverables from the Tourism Development budget.

Budget	Vendor	Amount	Description	FUNDING
70-7000	Shawna Suckow	\$11,500.00	Speaker for 2023 Tourism Summit	BUDGETED
70-7000	Andrew Mellen	\$11,500.00	Speaker for 2023 Tourism Summit	BUDGETED
TOTAL		\$23,000.00		



Agenda Item: Update and Discussion on Federal Governmental Affairs

Background: Greg Burns with Thorn Run Partners will provide an update on the Federal legislative activities related to the Park Board of Trustees 2022 legislative agenda and the expectation of where things will go in Washington D.C. over the next two years.

The 2022 Legislative agenda included the following items:

- Galveston Island Beach Management
- RESTORE Act
- Offshore Energy Exploration Revenue Sharing
- Land and Water Conservation Fund
- Lone Star Coastal National Recreation Area
- National Flood Insurance Program



Agenda Item: Discuss and Consider Approval to Create a Board Task Force for the Process of Solicitation of Park Board General Counsel

Background: Mills Shirley as represented by Carla Cotropia has represented the Park Board for the past 25 years. The General Counsel works directly for the Board and provides a variety of services to the organization through the support of both the Board and staff. While Mills Shirley continues to provide legal services through their Managing Partner, Robert Booth, the recent resignation of longtime General Counsel Ms. Cotropia has created an opportunity for the Board to consider this longstanding contractual service.

Legal services represent a professional service and as such do not require a sealed bid competitive process. Nonetheless, with the aim of undertaking due diligence in the review of services and the contracting of this important position, the Board chair is recommending the formation of a Board populated Task Force.

The group will be tasked with delineating necessary services and identifying, interviewing, and recommending to the full Board candidate(s) for consideration. In order to fulfill this task, the Task Force is expected to determine:

- **Scope of services to be provided by firm (Terms of Engagement):** Board and Committee agenda approvals, Board meeting support, personnel issues, contract review, property rights issues, legislative interactions, supervision of litigation through Texas Municipal League or other third parties, mediation, amongst others,
- **Criteria for selection of a firm (or individual):** Location of office(s), Qualifications of partners and associates, previous experience, references, years of experience,
- **Timeline for contracting,**
- **Any other items identified by the Board at the creation of the Task Force.**

Recommendation: The Board Chair recommends the following members for the Task Force; Kimberly Gaido (Task Force chair), Dave Jacoby, and Jeff Ossenkop.



Agenda Item: Discuss and Consider Approval to Appoint Maya Sandy to the Workforce Development Committee

Background: In September 2022, Dan Kratz was appointed to fill the Texas A&M position on the Workforce Development Committee. Due to his job responsibilities Mr. Kratz was unable to fulfill this duty and put forth Career Counselor Maya Sandy to be his replacement. Ms. Sandy has attended a couple of the meetings as a guest and has proven to be very engaged. Ms. Sandy would be completing the term which is set to expire in 2024.

Staff Recommendation: Workforce Development Chair, Cissy Matthews, along with Susan Keeble, committee staff liaison recommend appointing Maya Sandy to fill the vacant Texas A&M position on the Workforce Development Committee.



Agenda Item: Review of Texas Open Meeting Act Requirements

Background: Staff will present on the Open Meeting Requirements as required by Texas Local Government Code Section 551.

TEXAS OPEN MEETINGS ACT

GOVERNMENT CODE 551

TEXAS OPEN MEETINGS ACT

- Defines what a Government Body is
- Defines a Quorum
- Defines a Meeting
- Defines Notice Requirements
- Requires Recording of Meetings
- Defines Penalties for Non-Compliance

GOVERNMENTAL BODIES INCLUDE

- State boards, commissions, departments, committees or agencies within the legislative or executive branch
- County commissioners courts, municipal governing bodies, school boards, special district boards and deliberative bodies with a rulemaking or quasi-judicial authority that are part of a municipality or county
- Local workforce development boards
- Certain nonprofit corporations and property owner associations

QUORUM

- A **Quorum** is defined as a majority of the governing body unless otherwise defined by law. Generally, the act applies whenever a quorum of a governmental body meets.
- *Note: The quorum does NOT change if positions on the governing body are vacant, i.e. 9 members, 2 vacant positions, 5 members still required in attendance to be a quorum*

MEETINGS

- A meeting requires a gathering of a quorum of the governmental body that includes:
 - deliberation about the government body's public business or formal action
 - opportunity for members to ask, speak about or listen to information relating to public business
- ***Note: If members leave a meeting, resulting in the loss of a quorum, the meeting should be recessed until a quorum is again present.***
- Exceptions include a gathering of a quorum at the following if there is no formal action taken and any discussion of public business is incidental to the authorized event:
 - Social function
 - Convention or workshop
 - Ceremonial event
 - Press conference

MEETINGS

- Must be accessible to the public
- Located within the boundaries of the government body's jurisdiction
- Accessible to individuals with disabilities
- The public must be able to record by video or audio

PUBLIC COMMENTS

- The act states that the governmental body shall allow the public the right to speak at a meeting. Reasonable limits can be imposed but cannot discriminate among speakers based on their views.
- If a member of the public speaks on an item not listed on the agenda, legislation allows that a member of the government body can address the comment with a **statement of specific factual information or the recitation of an existing policy as it relates to the comment**. It does not allow any deliberation or decision on the item.

NOTICE OF A MEETING (POSTING AGENDAS)

- The notice of a meeting (agenda) must be posted 72 hours prior to the meeting and be in a location readily accessible to the public at all times during the 72 hours. Weekends are counted as part of the 72 hours.
- The written notice of a meeting must include:
 - Date of meeting
 - Time of meeting
 - Place of meeting
 - Subject(s) to be considered at the meeting
 - The subjects to be considered at the meeting must have a sufficient description so that the public can discern what will be discussed. i.e. Chair Update is NOT a sufficient description of the item.
 - *Example of Sufficient Description:* Chair Update on Activities on Behalf of the Park Board of Trustees for the Month of December 2022.

NOTICE OF A MEETING (POSTING AGENDAS)

- Local municipalities are required to post notices at City Hall.
- Where the act allows to post on the internet, the following provisions apply:
 - The governmental body satisfies the requirement that the notice be posted in a place readily accessible to the general public at all times by making a good faith attempt to continuously post the notice on the internet during the 72 hours prior to the meeting.
 - The governmental body must still comply with posting the notice at the require location (City Hall for a municipality).
 - If the governmental body makes a good faith attempt to continuously post the notice on the internet during the 72 hours, the notice physically posted at the required location must be readily accessible to the general public during normal business hours.
- Actions taken at meetings without proper notice are voidable but can be ratified at a subsequent meeting that has been properly noticed

EMERGENCY MEETINGS

- In emergencies as defined by the act, the notice must be posted 1 hour prior to the meeting.
 - The notice must clearly define the emergency or urgent public necessity
 - The media must be notified IF they have previously requested to receive special notices in the event of emergency meetings.
 - Emergencies are defined as:
 - An imminent threat to public health/Safety
 - A reasonably unforeseeable situation
 - fire, flood, hurricane, tornado, earthquake, or wind, rain or snow storm
 - power failure, transportation failure or interruption of communication facilities
 - epidemic, riot, civil disturbance, enemy attack or other actual threat of lawlessness or violence

CLOSED MEETINGS (EXECUTIVE SESSIONS)

- A governmental body may meet in a closed meeting/executive session when expressly authorized to do so by statute.
- Some allowable exceptions for conducting a closed meeting:
 - Consultation with Attorney regarding pending or possible litigation, settlement offer or on a matter that falls within the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas
 - Deliberation Regarding Real Property, i.e. purchase, rental, etc. if it would be detrimental to the position of the government body in an open meeting such as a negotiation with a third party
 - Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a employee or hear a charge or complaint. Note: This does NOT apply if the employee who is subject to the deliberation requests a public hearing. This rule does not apply to a category of employees but to a specific employee(s), i.e. CEO.

CLOSED MEETINGS (EXECUTIVE SESSIONS)

- Closed meetings can only be held for deliberation. Any action or vote taken must be conducted in an open meeting,
- Closed meetings/Executive Sessions must be posted in the same manner as an open meeting.
- There must be a quorum to conduct the meeting.
- The meeting must be convened as an open meeting and the legal provision authorizing the governmental body to go into a closed meeting must be identified.
- A certified agenda or recording of the closed meeting is required but is only released by Court Order. The recording must include announcement by presiding officer of date and time of start and stop of closed meeting.
- Only members of the governmental body have the right to attend a closed meeting but can invite others if necessary as long as it does not defeat the legal basis of the meeting.

RECORDS OF MEETING

- A governmental body shall prepare and keep minutes or make a recording of each open meeting.
- The minutes must:
 - State the subject of each deliberation.
 - Indicate each vote, order, decision or other action taken.
- Minutes and recordings of an open meeting are public records and are to be available for public inspection upon request

VIDEOCONFERENCE

- A member or an employee of the governing body may participate remotely in a meeting by means of a videoconference call if the Video/Audio feed is broadcast live at the meeting.
- The meeting can only be held if a quorum of the governmental body is physically present at one location.
- Remote participants are counted in attendance.
- Remote participants are counted absent from any portion of the meeting during which the video or audio communication with the participant is lost or disconnected.
- The member of the governmental body presiding over the meeting must be present at the physical location.
- Participation by phone is not considered attending the meeting. The member is not counted present and cannot vote on agenda items.
- Teleconference may be allowed in certain emergency situations.



Agenda Item: Discuss and Review Park Board Procurement Policy and Procedures

Background: The Park Board of Trustees of the City of Galveston (herein referred to as Park Board or Board) has developed and published a Purchasing Policies, Procedures, and Controls manual to operate efficiently and effectively. It was approved in April 2021 and recognizes existing requirements from the State law and the Board policy established through Board approval that governs different types of major purchases.

State law governs the significant parameters that control procurement by local governments in Texas. These requirements are found in Texas Local Government Code Chapters 252 and 271 and Texas Government Code Chapters 2254 and 2269. These laws control the formal bidding limits, define the basis for procuring different types of goods and services, and regulatory standards to ensure compliance with the competitive bidding laws.

Most purchases over \$50,000 are governed by State law with few exceptions. One of those exceptions is personal and professional services. Most professional service procurement falls under The Professional Services Procurement Act. However, that does not apply to attorneys and the selection of an attorney is exempt from competitive bidding requirements as a “professional service.” (See TEX. LOC. GOV’T CODE § 252.022(a)(4) ; Op. Tex. Att’y Gen. No. JM-940 at 3 (1988), MW-344(1981)).

In addition to the items exempt from Texas Local Government Code 252, legal services are exempt from the Park Board Purchasing Policy’s competitive bidding procedures. All other requirements in the policy, and by law, are still applicable. Any expenditures with a value of \$10,000 or more requires board approval, this includes legal services.

Contracts are managed in the user department according to the manual, General Requirements Section. User departments are responsible for the daily management of contracts and renewals.

The purpose of procurement manual is to provide guidance and instruction for all employees new to the purchasing process and as a reference for staff and management. The purchasing program’s primary function is to provide cooperative assistance that is efficient and effective in obtaining the supplies and services needed. The program intends to buy these items at the lowest economical cost consistent with quality, time, and operational goals.

Legal and organizational changes and process improvements will bring about policy and procedural changes. Revisions will be issued as needed that reflect these changes to keep this manual current.

Staff Recommendation: N/A

PARK BOARD POLICY AND STATE LAWS GOVERNING PURCHASING

General Information

The Park Board operates as a local government. It must adhere to Texas State Law that governs procurement for local governments. The policies are based on Texas State Law. Any purchases involving federal or state funding shall be made per applicable federal or state procurement requirements.

All purchasing shall be under the State of Texas laws, including chapters 252, 271 of Texas Local Government Code and chapters 2254 and 2269 of the Texas Government Code and, and the Park Board policies and procedures pertaining to purchasing.

Park Board – Purchasing Policy

Section 2-117. Purchasing Policies and Procedures Manual

All purchasing and bidding shall be done in accordance with applicable state and federal law and per policies and procedures outlined in the document entitled "The Park Board of Trustees of the City of Galveston Texas Purchasing Policies, Procedures, and Controls Manual," a true and correct copy to be kept on file by Board Administration.

State Laws

Historically Underutilized Business

Texas Local Government Code Section 252.0215. COMPETITIVE BIDDING IN RELATION TO HISTORICALLY UNDERUTILIZED BUSINESS.

- In making an expenditure of more than **\$3,000** but less than **\$50,000**, a municipality shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code.
- If the list fails to identify a historically underutilized business in the county where the municipality is situated, the municipality is exempt from this section.

Separate, Sequential, or Component Purchases

Texas Local Government Code Section 252.062. CRIMINAL PENALTIES.

- A. A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly makes or authorizes separate, sequential, or component purchases to avoid the competitive bidding requirements of Section 252.021. An offense under this subsection is a Class B misdemeanor.
- B. A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates Section 252.021, other than by conduct described by Subsection (a). An offense under this subsection is a Class B misdemeanor.
- C. A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates this chapter, other than by conduct described by Subsection (a) or (b). An offense under this subsection is a Class C misdemeanor. See Purchasing Code of Ethics section, page 13, for definitions and examples of separate, sequential, and component purchases.

Note: The above section applies only to the competitive procurement requirement of Texas Local Government Code Chapter 252, with a contract value of \$50,000 or greater.

General Exemptions to Local Government Code Chapter 252

Texas Local Government Code Section 252.022 exempts certain items from competitive bidding.

1. A procurement made because of a public calamity requires the immediate appropriation of money to relieve the necessity of the municipality's residents or preserve the municipality's property.
2. A procurement necessary to preserve or protect the municipality's residents' public health or safety is a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.
3. A procurement for personal, professional, or planning services.
4. A procurement for work that is performed and paid for the day as the work progresses.
5. Purchase of land or right-of-way.
6. Procurement of items that are available from only one source, including items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies; films, manuscripts, or books; gas, water, and other utility services; captive replacement parts or components for equipment; books, papers, and other library materials for a public library that are available on from the persons holding exclusive distribution rights to the materials; and management services provided by a nonprofit organization to a municipal museum, park, zoo, or other facilities to which the organization has provided significant financial or other benefits.
7. Purchase of rare books, papers, and other library materials for a public library.
8. Paving drainage, street widening, and other public improvements, or related matters, if at least one-third of the cost is to be paid by or through special assessments levied on property that will benefit from the improvements.
9. A public improvement project, already in progress, authorized by the voters of the municipality, for which funds are deficient for completing the project in accordance with the plans and purposes authorized by the voters.
10. A payment under a contract by which a developer participates in constructing a public improvement as provided by Subchapter C, Chapter 212.
11. Personal property sold, either at an auction or by a state-licensed auctioneer. Property sold at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code. Property sold by a political subdivision of this state, a state agency of this state, or an entity of the federal government or under an interlocal contract for cooperative purchasing administered by a regional planning commission established under Chapter 391.
12. Services performed by blind or severely disabled persons.
13. Goods purchased by a municipality for subsequent retail sale by the municipality.
14. Electricity or advertising, other than legal notices.
15. This chapter does not apply to bonds or warrants issued under Subchapter A, Chapter 571. that expenditure than the procedures described in this chapter and the municipality adopts and uses a method described in that chapter with respect to that expenditure.
16. This chapter does not apply to expenditures by a municipally-owned electric or gas utility or unbundled divisions of a municipally-owned electric or gas utility in connection with any purchases by the municipally owned utility or divisions of a municipally-owned utility made in

accordance with procurement procedures adopted by a resolution of the body vested with authority for management and operation of the municipally owned utility or its divisions that set out the public purpose to be achieved by those procedures. This subsection may not be deemed to exempt a municipally-owned utility from any other applicable statute, charter provision or ordinance.

17. This chapter does not apply to an expenditure described by Section 252.021(a) if the governing body of a municipality determines that a method described by Chapter 2269, Government Code, provides a better value for the municipality with respect to that expenditure than the procedures described in this chapter and the municipality adopts and uses a method described in that chapter with respect to the expenditure.
18. Please note that the sole source procurement has been created because copyrights or "natural monopolies" have not been reviewed by the Texas courts or the Attorney General's office.

General Exemptions to the Park Board Purchasing Policy

In addition to the items exempt from Texas Local Government Code 252, the following items are exempt from the Park Board Purchasing Policy's competitive bidding procedures. All other requirements in this policy, and by law, are still applicable.

1. Travel by Park Board employees, including meals and lodging. Park Board employees should still make efforts to find the best deal when traveling. Per diem rates are still applicable.
2. Training for Park Board employees.
3. Purchasing of surety bonds or investments subject to the Park Board's investment policy.
4. Purchases of publicly provided or publicly regulated gas, electricity, water, cable TV, internet service, telephone, cellular telephone, sewer, and refuse collection services.
5. Contracts with professional entertainers.
6. Legal services for advice, consultation, and representation of the Park Board.
7. Purchases consisting of magazine subscriptions, web-based or electronic subscriptions, conference registration fees, memberships, and other similar purchases where prepayments are required.
8. Sponsorship contracts allowing a person or entity to publicize participation in Park Board events in exchange for donations of goods and services.
9. Purchase of parts and labor or maintenance agreements to repair equipment or machinery by a franchised dealer or by a factory authorized repair shop.
10. Leases, exchanges, or purchases of real property, including closing costs.
11. Postage or shipping services.
12. Services provided solely by other government agencies or institutions of higher learning.
13. Contracts for professional services relying on previous professional services rendered, when the vendor providing the previous professional services can provide the additional professional services in a manner clearly less expensive and expeditious in the opinion of the Chief Financial Officer.

14. Purchases of books, periodicals, films, music, training materials, and online information services.
15. The Chief Financial Officer may grant other exemptions to this policy, as necessary.

Note: Items that are exempt from the requirement to get quotes, proposals, or bids may indeed be subject to the state competitive bidding laws if the **\$50,000** threshold is met. In those instances, state law prevails over this policy. Other requirements outlined in this policy like requisitions, purchase orders, approvals, etc., are still applicable.

Professional Services

Texas Government Code Title 10, Chapter 2254. Professional Services are accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing. Or, provided in connection with the professional employment or the practice of a person licensed or registered as a certified public accountant, architect, landscape architect, land surveyor, a physician (including a surgeon), an optometrist, a professional engineer, state-certified or state-licensed real estate appraiser, or registered nurse.

PURCHASING

General Requirements

A staff member authorized to make purchases on behalf of the Park Board shall determine the most appropriate and effective purchasing services or commodities for the Park Board. The staff will have various options to select from when making a purchase; these options include state contracts, purchasing cooperatives, inter-local agreements, and City of Galveston contracts. If the above options are not available, the Accounting Department will assist the department or staff member with other options and/or methods. Factors in determining how to acquire commodities or services are:

- A. Meeting department's needs while ensuring that the method selected achieves best value,
- B. Conforming to standards of ethical conduct, and
- C. Complying with all applicable laws, rules, and regulations.

Purchasing Authority

Authority to obligate Park Board funds for the purchase of supplies, materials, equipment, and services (including repairs and maintenance agreements) has been granted to the CEO and Park Board Chair. The primary purchasing document used by the Park Board to secure supplies and/or equipment is the Purchase Order (PO).

Obligation of Funds

The purchase order represents a binding written agreement between the Park Board and a seller. It obligates the Park Board to pay for specific goods or services when delivered in accordance with the purchase order terms and conditions. The Accounting Department issues all purchase orders.

Any other commitments, written or verbal, are considered unauthorized purchases, and the individual making the commitment might incur a personal obligation to the vendor. The only exception is valid Credit Card Purchases.

Purchasing

The Park Board of Trustees follows the State of Texas bid solicitation guidelines:

Purchases \$1,000 or less

- The individual buyer/department/department representative may exercise discretionary purchasing and acquisition of these purchases.
- Credit card purchases are allowed for this amount.
- Quotes are recommended but not required for this threshold.
- E-Requisitions and Purchase Orders are not required for these purchases
 - However, when submitting an invoice for payment or when submitting a credit card receipt, department staff **MUST** indicate what fund, department, and account code to use.
- Structured Purchasing will not be allowed at this or any other level.

Purchases \$1,001 to \$1,999

- The individual buyer/department/department representative may exercise discretionary purchasing and acquisition of these purchases.
- Credit card purchases are allowed for this amount.
- Quotes are recommended but not required for this threshold.

Purchases \$2,000 to \$9,999

- Requires three (3) quotes obtained by user department via email, telephone (call must be documented with vendor name, phone number, the person spoke with, and the amount quoted), or written.
- The Bid Quotes Report will be completed for each purchase, including sole source. The report will also be signed by the manager of the fund being charged. All written quotes will be attached to the Bid Quotes Report. The completed Bid Quotes Report will be forwarded to the Accounting Division.
- Written documentation provided to the Accounting Department prior to requisition.
- Credit card purchases are allowed only with written approval from the CFO and within limits placed on the credit card being used.

Purchases \$10,000 to \$49,999 (Board approved)

- Requires three written bids and Park Board approval.
- The Bid Quotes Report will be completed for each purchase, including sole source. The report will also be signed by the manager of the fund being charged. All written quotes will be attached to the Bid Quotes Report. The completed Bid Quotes Report will be forwarded to the Accounting Division.
- Written documentation provided to the Accounting Department prior to requisition.
- Credit card purchases are not allowed at this level.

Purchases \$50,000 or more – State law level

- Purchases at State Law level and greater require sealed bids or proposals unless they are exempt by Texas LGC 252.022.
- The Park Board must approve all purchases **\$10,000** and over, even if the purchase is exempt from sealed bids/proposals.
- The Bid Quotes Report will be completed for each purchase, including sole source. The report will also be signed by the manager of the fund being charged. All written quotes will be attached to the Bid Quotes Report. The completed Bid Quotes Report will be forwarded to the Accounting Division.
- Department Head or department designee shall ensure that funds are available in the department's budget before requisitions are issued and before purchases are made for the department.
- Separate, Sequential, and Component Purchases are not permitted at this level. "Component Purchases" means purchases of the component parts of an item that would be purchased in one purchase in standard purchasing practices. "Separate Purchases" means purchases, made separately, of items that would be purchased in one purchase in standard purchasing practices. "Sequential purchases" means purchases made over a period of items that would be purchased in one purchase in standard purchasing practices.

Employees shall not make any purchases without a purchase order number; the only exceptions are purchases **\$1,000** or less and Emergency Purchases as defined in the section below and outlined in Texas LGC 252.022.

Sealed Competitive Bids/Proposals

These procurements are defined as purchasing materials or services at or greater than the state law level of **\$50,000**. The Park Board may use either Competitive Sealed Bidding or Competitive Sealed Proposals for expenditures or procurements at state law level or greater. However, before the competitive process begins, the CEO or designee must determine which method provides the board's best value. (See Texas LGC 252 & 271)

Competitive Sealed Bid – (Formal Bid)

- Notice to bidders must be publicly advertised in the newspaper for two (2) consecutive weeks, with the first date of publication being at least fourteen (14) days prior to the opening of the bid.
- A public bid opening will be conducted at the Park Board Plaza building.
- Bids are presented by the user department, with a staff report, to the Board. The Board has the right to reject all offers or award any or all offers.
- The Board will use the best value method to award contracts under the competitive sealed bid method.
- The Board will indicate in the bid specifications that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods and services as the best value to the Park Board.

Competitive Sealed Proposal – (Formal Proposal)

- Notice to proposers must be publicly advertised in the newspaper for two (2) consecutive weeks, with the first date of publication being at least fourteen (14) days prior to the opening of the proposal.
- A public proposal opening will be conducted at the Park Board Plaza building; price information is only read aloud if it is a construction, public work project, as defined in Texas Government Code Chapter 2269.
- Proposals are presented by the Department, with a Staff Report, to the Board.
- The Board has the right to reject all offers or award any or all offers.
- A proposal offers the Board the ability to negotiate with a selected vendor prior to awarding a contract.
- Evaluation of Proposals can include the following criteria:
 - Purchase Price
 - Reputation and financial responsibility of the proposer and the proposer's good and services
 - Quality of the proposer's goods or services
 - Extent to which the goods or services meet the Park Board's needs
 - Proposer's past relationship with the Park Board
 - Impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses, nonprofit organizations employing persons with disabilities
 - Total long-term cost to the Park Board to acquire the proposer's goods or services
 - Any relevant criteria specifically listed in the request for bids or proposals

Any incomplete bid or proposal submitted by an offeror will be marked as non-responsive.

No bid or proposal will be considered if it is submitted after the deadline.

User departments should plan ahead when a contract for services, commodities, or construction need to be executed for the Park Board. If you have items that are procured annually, check your contract dates for expiration. Contact Accounting a minimum of four (4) months prior to the expiration of a contract to avoid a lapse in contracting for services or commodities. Purchases must have budgeted funds.

Note: In rare instances, it may be difficult to obtain three (3) quotes, bids, or proposals. In those instances, department staff must make a reasonable effort to secure three (3) quotes, bids, or proposals and document their efforts and the reason why three (3) quotes, bids, or proposals were not obtained.

Buy boards such as HGAC-Buy can be used in lieu of the bidding process. All contracts available to participating members have been awarded by virtue of a public competitive procurement process compliant with statutes of the state of Texas. It is recommended that a cost comparison be performed to take advantage of receiving the lowest price available.

The Park Board of Trustees is a tax-exempt organization. Vendors should be made aware of this status. A State of Texas tax-exempt form should be completed and submitted to the vendor.

All contracts MUST be reviewed and approved by the CFO and legal counsel BEFORE being submitted to the CEO or Park Board Chair. Contracts can only be signed and executed by the CEO or Park Board Chair. There is NO exception to this rule.



Agenda Item: Update On The Washed Ashore Island Wide Art Exhibition

Background: In January 2021, the Park Board reached out to The Washed Ashore Project, a non-profit traveling art exhibit made entirely of marine debris collected from beaches, with the intent of bringing a handful of their sculptures to the island as part of our Trash Education Initiatives. The initial conversation led to greater opportunities for collaboration among the institutions. In July 2022, the Board of Trustees approved the first phase of several proposed for Galveston Island.

The exhibit was officially launched on Saturday, December 10th and will run through Friday, March 3rd.

Visit Galveston has also gamified the experience, making the Washed Ashore experience at Galveston an island-wide scavenger hunt. You can search for the art pieces and find unique items within each sculpture. You can also participate in the #WashedAshoreGTX Social Media Sweepstakes and the Washed Ashore Challenge to win special prizes. Washed Ashore Sculpture Locations:

- Artist Boat Heritage Preserve – Sylvia the Silvertip Reef Shark
- Bryan Museum – Stanley the Sturgeon
- Dellanera RV Park – Seamore the Seahorse and Flip Flop Fish
- Galveston Art Center – Jelly Blooms
- Galveston Children’s Museum – Pinky the Fish Wall Art
- Galveston Visitor Information Center – Annie the Anemone
- Hotel Galvez – Gum Drop Jelly
- Moody Gardens – Aquarium – Greta the Great White
- Moody Gardens – Visitor Center – Giacometti the River Otter
- Pier 21 – Rosa the Bald Eagle
- Pleasure Pier – Edward the Leatherback Sea Turtle
- Railroad Museum – Brody the Adelie Penguin
- Rainforest Café – Flash the Marlin
- Rosenberg Library – Sea of Debris
- Royal Caribbean Cruise Terminal – Priscilla the Parrot Fish
- Sangerfest Park – Octavia the Octopus
- Seawolf Park – Grace the Whale Tale
- The Grand 1894 Opera House – Noah & Sunny Fish Wall Art
- The Tremont House – Finn the Mako Shark

In the first three weeks, there were over 10,000 check-ins through the app and over 12,000 page views. On our website, page views exceeded 7 minutes, with averages being below 2 minutes for other content. Feedback from our residents, partners and visitors has been overwhelmingly positive. A full up-to-date overview of the numbers will be provided as part of this presentation.

Staff Recommendation: update only

Funding Source (if applicable): update only



Agenda Item: Discuss and Consider Approval to Award Concessionaire Agreements to begin in the 2023 Season

Background: Concessionaire agreements fully executed during the 2020 or 2021 seasons contain terms to permit concessionaires to apply for a one term renewal, subject to compliance with all conditions throughout the initial term and subject to approval by the Park Board.

Staff reviewed the files of each partner for consideration of eligibility to enter into another agreement, and eligible concessionaire partners received a terms sheet indicating the fee schedule, approved financial policies and standards of operations as applicable to their operation, previous terms and location.

The following businesses indicated a desire to continue concessionaire operations:

<u>Name</u>	<u>Expires</u>	<u>Annual Administrative Fee</u>	<u>Type of Operation</u>	<u>Park</u>
East Beach Cantina	2025	\$3,750.00	Beach Equipment Rental	R.A. Apffel Beach Park
East Beach Cantina	2025	\$8,735.00	Food & Beverage	R.A. Apffel Beach Park
East Beach Cantina	2025*	\$6,865.00	Retail	R.A. Apffel Beach Park
Shorecrest Sno – Area 7	2024	\$1,950.00	Frozen Treats	Seawall Urban Park
Shorecrest Sno – Area 8	2024	\$3,900.00	Frozen Treats	Seawall Urban Park
Allwise Entertainment – Area 12	2024	\$1,000.00	Frozen Treats	Seawall Urban Park
Kona Ice	2024	\$10,000.00	Frozen Treats	R.A. Apffel Beach Park
SUP Gulf Coast (provisional) – Area 7	2023	\$500.00	Yoga	Seawall Urban Park
A Shady Deal	2024	\$5,000.00	Beach Equipment Rental	Dellanera RV Park

*NOTE: The original term of East Beach Cantina retail was for two years. This agreement is recommended to extend to a three year term to align with the business’s other operations.

If Trustees approve to award agreements to these businesses, then staff will work with partners for timely submittal of payments and all required applicable documentation. Any partner who does not remit payment by the due date or does not submit required documentation within 30 days of award may be subject to a delay of operation or revocation of the offer of an agreement.

Staff Recommendation: Staff recommends the Board approve awarding concessionaire agreements to the businesses listed above to begin in the 2023 season.

Funding Source (if applicable):



Agenda Item: Presentation of Federal Emergency Management Agency (FEMA) Receivables

Background:

This agenda item serves as an update from a presentation made at the October 2022 Trustees meeting.

Potential reimbursements are subject to change after state and federal review. Inevitably, some expenses are ruled ineligible for reimbursement by FEMA. TDEM has indicated that they are working diligently to support and recommend reimbursement from FEMA to the Park Board. This work includes opportunities to substantiate disallowed costs. Additionally, reimbursement requests are subject to lengthy FEMA timelines.

FUN D	PW	PROJECT DESCRIPTION	FY 22-23 RECEIVED	OUTSTANDING RECEIVABLE	NOTES
BC	14277	Park Board ATV & Club Cars		\$2,987.75	DAC Appeal
BC	14514	Maintenance - Bldg. No. 1 (New) + Site Damage		\$169,633.01	Per TDEM report 11/15/22
DP	8409	Seascape & Dellanera Beaches		\$1,575,322.40	In FEMA step 13 of 17; value from letter dated 8/5/22
DP	14051	Dellanera RV Park Site Utilities		\$126,144.22	MT Report
DP	14515	Dellanera Building Damage		\$12,601.25	DAC Appeal
RA	14274	AP East Beach (Big Reef)	\$750.36	\$0.00	
SB	14367	Stewart Beach Building Damage		\$139,324.25	Waiting on Scope Modification
SB	14425	Stewart Beach, Site	\$11,199.65	\$4,135.25	DAC Appeal
SB	14653	AP Stewart Beach (SW Ticket Booth)		\$17,738.44	DAC Appeal
SW	1657	USS Stewart moorings (righting complete)	\$52,430.64	\$299,092.03	MT Report
SW	14510	AP Pavilion (Bulkhead rip rap regulatory work)		\$257,292.18	MT Report
SW	14613	Park Site Restoration (apron remain)		\$37,858.56	DAC Appeal
SW	14644	Cavalla Repairs (painting)		\$4,109.81	DAC Appeal
NB	H HARVEY	Beach Damage Dellanera		\$681,467.60	Value after cost change request; 10% from CEPRA
BC	H LAURA	Repair/Replacement of Beachfront Signage (ordinance)		\$10,905.71	90% reimbursement
BP	H LAURA	Repair/Replacement of Beachfront Signage (life safety)		\$62,733.53	90% reimbursement
TOTALS			\$64,380.65	\$3,401,345.98	

Staff Recommendation:

There are no staff recommendations for this agenda item.



Agenda Item: Update on Dellanera Beach Nourishment Costs and Activities

Background:

The stretch of beach for this project will encompass the area from the western end of the Galveston Seawall to the western property line of Dellanera RV Park. The project will span over 2,100 linear feet placing 118,668 cubic yards of beach quality material. This nourishment is necessary due to the damage sustained to the beach from Hurricane Harvey in 2017 and is a beach project with no dune work.

The project is being carried out through a FEMA claim in conjunction with the Texas General Land Office (GLO) Coastal Erosion Planning & Response Act (CEPRA). HDR Engineering, Inc. is the engineer of record for the project.

After the final set of plans and specifications were produced, HDR provided an opinion of probable construction cost. Their estimates ranged between \$5 and \$8 million dollars for construction of a truck haul job. This is in addition to the fees for their services, which are also funded through FEMA & CEPRA. This brought the possible project totals to approximately \$8,378,000. The FEMA project worksheet was valued at \$4,680,797.02.

A construction contract was awarded in October 2022 to Apollo Environmental Strategies, Inc. They are performing the work through a truck haul job with material from Texas International Terminals. Their contract is valued at approximately \$6.4 million dollars.

After the final bids came in for actual construction costs Park Board staff engaged with FEMA through the Texas Division of Emergency Management (TDEM) to make them aware of the funding shortfall in the obligated project worksheet. A request has been made for the cost overrun for the total project costs in the amount of \$6.8 million dollars. The reasoning conveyed was that the estimated cost to complete this project's scope of work greatly exceeds the obligated amount due to increased material, labor, surveying, and other associated costs relating to the coastal work. This request has been supported by TDEM and all necessary documentation has been presented to FEMA Region 6 for review. The FEMA Consolidated Resources Center is currently reviewing the cost change request for completeness. Upon their acceptance they will write an amendment to the project worksheet to increase the cost of the project. This is important because otherwise this activity would happen at close out and would hold up approximately \$2 million in reimbursements until the entire project is closed.

The project should be substantially complete by the end of February 2023. Upon completion, this beach nourishment will provide a better beach experience, increased land for wildlife & recreation and greater protection for the island.

Staff Recommendation:

There are no recommendations.

Funding Source (if applicable):

This project is being funded through FEMA (90%) and CEPRA (10%) and can be found in the Park Board Nourished Beach budget. The Park Board has an amended contract with CEPRA for the increase of project costs for their 10% share in the project.