

---

---

**CITY OF PORT LAVACA**

---

---

**PARKS BOARD MEETING:** December 20, 2023

**DATE:** 12.15.2023

**TO:** PARKS BOARD

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** “We Love Port Lavaca Parks” Campaign (LPLP)

---

Background:

As you recall in December we discussed establishing a “WE LOVE PORT LAVACA PARKS” campaign and the 1<sup>st</sup> step was to establish a Parks Donation Fund. This fund has been established and Council’s resolution is attached. ds in it that have been earmarked for the following:

- \$5,000 toward a shade structure and a thank you sign honoring former public works director, councilman and mayor Ken Lester, Sr. for the “Story-Telling station” in the Born Learning Trail at City Park
- \$5,000 from Jody’s 65<sup>th</sup> Birthday Wish to help fund a music and theatre park area along the Born Learning Trail.

I would like the Parks Board to consider the establishment of an ongoing “We Love Port Lavaca Parks” campaign to support our City Parks by providing an easy way for people (local citizens and visitors), who especially enjoy the parks and have an interest in seeing new amenities, signage, etc. added, to contribute financially to a fund specific for parks improvements.

We are envisioning signs at the parks that would read something like ... *This park is provided for the enjoyment of those that live, work, play or visit Port Lavaca. There is no fee to use the park, but if you have particularly enjoyed your visit and want to help us bring more improvements to our parks, please consider a contribution to our “We Love Port Lavaca Parks” fund.* A QR code would be scanned in or a text number provided where small (or large) donations can be accepted.

To do this requires us to establish a bank account specifically dedicated to these donated funds.

We presented the concept to the City Council at the December meeting and the consensus was that they thought it was a great idea, but wanted a written policy on how the funds would be spent before setting up the bank account.

A few things for consideration as we envision this proposed campaign are:

- 1) For reference, this is what the City Charter says about Recreation and Parks:

There shall be established a department of recreation and parks. This department shall be responsible for the creation, maintenance and improvement of public parks and beaches and various facilities therein.

The Council is to allocate each year in the budget an amount of not less than five (.05) cents\*\* on the total valuation of property within the City for the exclusive use by this department for the purposes outlined above.

The Council may establish by ordinance a Recreation and Parks Board, which in addition to any duties set forth in the ordinance creating such board, shall review and provide recommendations on the budget for the Department of Recreation and Parks each year at the regular budget time for the City, and in no case may the annual expenditures be in excess of the amount budgeted and approved in the regular City budget.

\*\*

FY2023-24: Taxable ad valorem values = \$655,865,622;  $\$655,865,622/100 \times \$0.5 = \$327,933$   
PARKS & REC BUDGET FOR FY 2023-24 = \$1,064,950 including \$350,000 of Capital improvements – OK!

Texas Local Government Code:

Sec. 332.006. GRANTS. A municipality or county may accept a grant, a lease, a loan or devise of real estate, a gift or bequest of money, either principal or income, or any other personal property for temporary or permanent use for the establishment, operation, or support of public recreation facilities and programs.

In general terms, it is hoped that donations to this fund would help in providing more shade structures, benches, picnic tables, special features, trees, irrigation and landscaping, recreation, special parks events, etc. The fund would not be used for maintenance activities that would be funded in the Parks General Fund Budget.

More specifically, I'm thinking:

Eligible use of donated funds:

- Capital improvements of public parks
- Landscaping, irrigation **and maintenance of landscaping\***
- Purchase, planting, and irrigation of trees
- Picnic tables, benches, shade structures, specialty park amenities
- Educational and wayfinding signage in parks
- Seasonal decorations in the Parks
- Recreation programs in the Parks
- Special Park events

Donated funds shall NOT be used for

- Repairs and Maintenance **except for landscaping or to repair/maintain capital improvements which are purchased solely with donated funds\*.**
- Salaries & Benefits
- Normal operating expenses
- Utilities
- Advertising

*\* There was discussion at the Council meeting that the funds should not be used for ANY maintenance activities, but I think we might consider proposing that maintenance of landscaping and other capital improvements that are funded with these special funds be an eligible use of the fund.*

In order to get the bank account set up and start a campaign to receive cash donations, we need only establish a policy for use of the funds donated to this account, but to establish a more comprehensive policy for this ongoing campaign, we should also consider establishing a policy regarding Donation Acceptance. Below is a link to a sample policy I found on the internet. <https://publiccounsel.org/wp-content/uploads/2021/12/Sample-Gift-Acceptance-Policy.pdf>

If the Board would like to establish a committee to help draft a comprehensive Donation policy, staff would welcome the input and assistance.

Recommendation:

Staff recommends that Council establish a bank account for exclusive use of receiving funds donated for our City Parks and adopt a policy which establishes eligible and ineligible activities for use of these funds as outlined.