This document has taken economic development proposals selected by the Bolivar Peninsula and provides an in-depth analysis of each proposal.
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Purpose

This document details different implementation plans for Bolivar Peninsula. These plans were chosen as a result of the Bolivar Peninsula community members selecting their preferred choices from the preliminary proposals presented by the Bush School Team on November 13, 2009. The implementation plans, listed in the order they appear in this document, include:

- Aquaculture (1)
- Small Business Incubator (2a)
- Nonprofit Development for a Small Business Incubator (2b)
- Fort Travis Revitalization (3)
- Geocache Program (4)
- Mural Wall (5)
- Outdoor Theatre Program for Community Festivals (6)
- Festival Sponsorship and Funding (7)

The Bush Team would like to present these implementation plans for Bolivar’s review. The Bush Team has compiled numerous appendices. Due to their length and number of attachments, they have not been included in this document. However, all appendices will be submitted with the final implementation plan and available upon request prior to completion of the final implementation plan. Upon reviewing the document, the Bush Team welcomes comments and suggestions so that a final implementation plan can be created.
Development Plan 1: Aquaculture on the Bolivar Peninsula

Background

The United States Department of Agriculture defines aquaculture “as the production of aquatic animals and plants under controlled conditions for all or part of their lifecycle.” This industry has expanded over the past two decades to gross more than a billion dollars as the interest in aquacultural production has risen due to restrictions on the wild harvest of many seafood species.¹

Aquaculture production in the United States is from the production of food fish, ornamental fish, baitfish, mollusks, crustaceans, aquatic plants and algae, and some reptiles. Each of these organisms can be grown in diverse climates in both fresh and salt water. The catfish industry is the largest sector, making up over forty percent of all fish sales. Catfish are primarily produced in the gulf coast states of Mississippi, Alabama, Arkansas, and Louisiana and are typically grown in open freshwater ponds.²

Other major food fish species grown in aquaculture farms include trout, salmon, tilapia, hybrid striped bass, sturgeon, walleye, and yellow perch. With the exception of salmon, these species are primarily grown in fresh water ponds. Salmon are hatched in fresh water and then transported to saltwater net-pens³. Baitfish aquaculture, a nonfood species, is produced in freshwater ponds and is chiefly farmed in Arkansas. Ornamental fish aquaculture, another nonfood species, produces a large number of species in a wide array of growing environments, including salt water.⁴

Crawfish and shrimp are also produced in aquaculture farms. These species are mainly found in Louisiana and in brackish ponds in South Carolina, Texas, and Hawaii. Mollusk species such as abalone, oysters, clams, and mussels can also all be farm raised. Almost every coastal area of the United States produces mollusks using a mixture of systems.⁵

Alligators, turtles, aquatic plants, and algae are other species that are also eligible for aquaculture production. Aquatic plant production can be beneficial for either an edible purpose or for the

restoration of wetlands. Spirulina is the best known algae produced in the United States and is used as an additive in health foods and as a feed component for pets and ornamental fish.6

In the State of Texas, an aquaculture business, defined as “a business that produces and sells cultured species raised in a private facility - a pond, tank, cage or other structure capable of holding cultured species in confinement wholly within or on private land or water or on permitted public land or water,” is required to apply for and receive an aquaculture license from the Texas Department of Agriculture.7

Benefits to the Bolivar Community

The aquaculture industry would benefit the Bolivar community by creating jobs for the local citizens and by taking advantage of the resources of the peninsula. A USDA study estimates that in the United States employment in aquaculture production and processing is over 180,000 jobs.8 These jobs could be adopted on the peninsula and would be part of a stable industry in which demand will increase. It is estimated that global seafood demand will increase over sixty percent in the next thirty years.9 Aquaculture also gives Bolivar a chance to brand itself with a certain fish species by developing multiple fish farms of that species. This has proven successful in other rural areas. They are able to grow, process, and sell they own local fare, growing the reputation of the community.

Types of Fish to Produce

Bait Fish

The Texas coast is home to many large game fish species and its fishing industry is a major consumer of bait fish. The most popular bait species are golden shiners, fathead minnows, and goldfish and can be produced reliably in ponds and in cages. These species of bait fish reproduce naturally and grow well on inexpensive feeds. A series of flat bottomed ponds that can be drained, seined, and refilled would need to be created so buyers can be regularly supplied with bait. There will be competition in producing bait fish with producers in Arkansas and Oklahoma. The producers of bait fish have low production costs and can offer their fish at low prices.10

Channel Catfish

Catfish farming makes a significant contribution to the economies of many southern states and of all the species of catfish, the channel catfish is preferred because of its tolerance for handling, good feed conversion, high dress-out percentage, and ease of spawning. Flat bottomed ponds

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filled by well water are ideal for catfish production, but watershed ponds and cages in lakes may also be used.11

Crawfish

Crawfish production has been economically successful in Louisiana and Texas. Large crawfish are prized as a gourmet food item and smaller crawfish are demanded as bait. The red swamp crawfish is the traditional species to grow for the purpose of aquaculture. The requirements for growing crawfish include relatively flat land with good water holding capacity and enough water to maintain 1 1/2 to 2 feet of water depth. Large amounts of labor are needed to harvest and reset traps each day for four to seven months out of the year that are able to grow crawfish.12

Shrimp

Major corporations and private investors have built large shrimp farms in Central America, South America, and Asia where the tropical climate is favorable.13 Bolivar’s coastal climate is ideal for growing and developing a shrimp farm. Macrobrachium rosenbergii, a species of freshwater shrimp, grows well at temperatures above 68°F and salinities of up to eight parts per thousand. However, a drawback to this species is that their heads are much larger than those on marine shrimp and the flesh may be softer than marine shrimp, leading to some marketing difficulties.14

Tilapia

Tilapia species have an excellent quality flesh that is tolerant of poor water conditions and grow well on low protein feeds. The leading technical problem in cultivating tilapia is that they die when temperatures drop below 50°F. Due to this, brood stock or fingerlings must be over wintered in indoor tanks that are heated or produced in small ponds fed by naturally warm well or spring water. Another serious problem is frequent reproduction. This leads to overpopulated ponds and stunting if left uncontrolled.15

Production Systems

The majority of the fish produced in the United States are produced in smooth bottomed ponds filled by wells that produce up to one thousand gallons per minute. Since such water resources are rare fish producers must try a variety of production systems. The best type of production system will depend on the available water source. Existing lakes and ponds are suitable for cage culture and wells, reservoirs, and creeks can be used to fill smooth bottomed ponds. Springs or gravity flow from a reservoir can be used for continuous flow tanks and raceways.16

Cages

Cage culture involves stocking fingerlings in floating cages and feeding them a nutritionally complete diet. Fish that thrive in these conditions include channel catfish and tilapia. The primary advantage of cage culture is that it requires lower start-up costs than other forms of production. Cages work well for many small scaled fish farms, but they do have problems that need to be understood before making a major investment. The amount of fish produced must be kept lower than in a pond. If more than one thousand pounds of fish are produced per surface acre on a pond or if more than thirty pounds of feed per surface acre per day is fed, then fish are more likely to die due to a lack of oxygen. Diseases can spread rapidly through a cage of fish and are difficult to treat with chemicals. Due to this, it is recommended that many small cages be used instead of a few large cages.17

Ponds

Pond aquaculture involves stocking fish in specifically designed ponds filled with standing water. It is a well developed means of fish production when properly managed and all species are suitable to be grown in standing water ponds. Ponds have generally proven to be the most efficient means of producing fish and the way to get the most fish production per unit of available water. Smooth bottomed ponds that are designed for fish culture cost from $2,000 to $3,000 per surface acre to construct. These ponds produce between 2,000 and 5,000 pounds of fish per surface acre per year depending on species.18

Challenges

The challenges facing aquaculture include sustained growth from global competitors, resulting from free-trade agreements, an improved transportation system throughout the world, an increase in cost, and restricted access to prime natural resource sites.19

Cases and Examples

Aquaculture has been implemented in virtually every state and community along the gulf coast. One example is the Louisiana crawfish industry.20 They have been successful in growing, marketing, and selling crawfish and shrimp.

Feasibility and Costs

Aquaculture costs vary from farm to farm depending on which species and how many are being harvested. While the coastal area of Bolivar is suitable for some types of aquaculture, the lack of fresh water would make it more difficult, and more costly, to sustain profitable aquaculture farms.

Outside of the major catfish producing regions of Mississippi, Arkansas, and Alabama, financing for aquaculture is difficult to obtain. The most successful strategy for most people is to use personal funds to operate a pilot project for several years. Financial records from this operation can then be used as the foundation for a business plan submitted to a bank. Information on how to produce an aquaculture business plan is available from the OCES Aquaculture Specialist listed at the end of this publication.\textsuperscript{21}

**Estimated Cost and Returns**

Cost and returns depend on the type of fish, the number of fish, type of production, and other variables. Returns are estimated by multiplying the total expected harvest weight times the expected price per pound. It is also important to consider variable costs. These include feed, fingerlings, chemicals, fuel, and labor. The fixed costs for created an aquaculture farm include depreciation, taxes, and general overhead. Fixed costs are important in determining if the business will be successful over time. Variable and fixed costs are added together and subtracted from the returns in order to calculate net returns. Net returns are the estimate of annual profit for the farm.\textsuperscript{22} Table 1\textsuperscript{23} shows an example of the annual cost and returns for a 160-acre catfish farm.

<table>
<thead>
<tr>
<th>Table 1. Example of annual costs and returns for 160-acre catfish farm (seven 20-acre ponds)\textsuperscript{a}</th>
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<tbody>
<tr>
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<td>1. RETURNS</td>
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<td>Taxes and Insurance</td>
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<tr>
<td>4. TOTAL COSTS (2+3)</td>
</tr>
<tr>
<td>5. NET RETURNS (1-4)</td>
</tr>
</tbody>
</table>

\textsuperscript{21} Beem, Marley. "Getting Started in Aquaculture." Stillwater: Oklahoma State University.


Questions to Ask When Starting an Aquaculture Business

Before undertaking the development of an aquaculture farm, a developer should ask themselves the following questions.\textsuperscript{24}

1. Is the type of aquaculture I am considering tried and proven?
2. Will it work in this climate?
3. Do I have enough water?
4. Does my site have suitable soils and slope?
5. Am I good at raising animals?
6. Am I able to perform hard physical labor from time to time?
7. Do I have the skills needed to operate and maintain tractors or other needed equipment?
8. Will I be able to handle the stress of losing large amounts of fish from time to time?
9. Am I willing to learn basic water quality testing methods and then carry out a regular water quality monitoring schedule?
10. If there is not an established market for what I plan to produce, am I willing to work with individual buyers?
11. Is my estimated production cost low enough to allow a reasonable profit?
12. Can I obtain the needed permits?
13. Is my personal or farm economic situation able to handle additional risk?

\textsuperscript{24} Beem, Marley. "Getting Started in Aquaculture." Stillwater: Oklahoma State University.
Development Plan 2: Small Business Incubator

Background

The Bolivar Blueprint indicates a desire to expand local small business industry on the peninsula. Small businesses are the fastest growing segment in American commerce and they create 98% of all new jobs. Over 50% of all small businesses fail in the first year, and 80% within five years. Often entrepreneurs know how to produce "the work," but lack the skills necessary for operating a business, and cannot afford the time and expense of an education. Equally important are startup costs and fixed expenses of operation, which drain hard pressed capital.

Small Business Incubators are usually established as a nonprofit organization to work toward economic development in city or county areas. They work closely with businesses and employment directed organizations to foster the startup and expansion of small local business enterprises. Lease agreements provide facilities and services that lower overhead costs while aiding in the growth and success of entrepreneurial firms. Smaller companies cannot afford to obtain these support services on their own or the cost can be too demanding on their operating capital.

Incubator services include:

- Professional Mentors
- Daily Management and Administrative Support
- Expert Consulting Services
- Hands on Training to Each Business

Implementation

Small Business Incubators are established as nonprofit organizations that work toward economic development in city or county areas. Nonprofit standing qualifies for tax-exempt status for both the organization and sponsor donations to the organization, eligibility for state and federal based grants, and access to many state and national nonprofit resources and information center memberships. For those reasons, Bolivar is encouraged to pursue nonprofit status to become 501(c)3 classification as part of their Small Business Incubator.

Establishing a Small Business Incubator requires the following processes:

1. Conduct a Market Analysis, Feasibility Study, and Business Plan
2. Create Incubator Management Design, and file for Nonprofit Status
3. Select an Incubator Site & facility design
5. Prepare an Incubator Financial Plan

Attachments included as appendixes:

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• Examples of Incubator feasibility studies
  o Bay View Incubator Feasibility Study
  o Wisconsin Incubator Feasibility Study
• Example of Incubator Business Plans
  o Grand Valley Center Incubator Business Plan
  o Oregon Incubator Business plan
• Example of Job Incubator Client Handbook
  o Grand Valley
  o New Mexico “Starting Out”
• Example of Incubator Policies for Admission- Temple Business Incubator

Step #1 – Conduct a Market Analysis, Feasibility Study, and Business Plan

The National Business Incubator Association (NBIA) in the United States suggests that the first step in implementation should be investment in a feasibility study to assess the market for the incubator, financial requirements and sources, and community support. An accurate market analysis is the keystone to the development of the incubator. The market analysis identifies potential tenants and the demand for an incubator and the services which it provides. If it is done accurately the analysis will help to define the needed incubator facility and its services. This is done by measuring the size and needs of the market. Size of the market will determine if there is sufficient demand for the construction and ongoing operation of the incubator. Needs of the market can mold the services and programs of the incubator.

The following Business Plan Checklist is provided as a guideline outlining the required information grant and foundations see in a professional strength business plan.

Business Plan Checklist

Incubator Organization Information
  ▪ Complete and official name of organization
  ▪ Legal structure of organization
  ▪ Profit or Non-profit
  ▪ Location
  ▪ Organization purpose (mission statement)
  ▪ Organizational objectives
  ▪ Overall, long term objectives (perhaps for the community, local economy, etc. – what is the overall, long-term desired result of having this incubator)
  ▪ Specify what the incubator is exactly trying to accomplish
  ▪ Affiliations with other organizations, institutions, groups, businesses
  ▪ Service area – description of the proposed incubator service area

30 Oklahoma Department of Commerce.(2009). Small Business Incubator certification department.pg 2-5.
31 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
Discuss local support from the community – Is there community buy-in to the incubator?
Include in this section (if applicable):
Certificate of Incorporation
Map of service area
Letters of recommendation or local support (i.e. mayors, county commissioners, chamber of commerce, city commissioners, bankers, etc.)

Management Team – Incubator Staff and Professional Staff Support for Tenants
Summary of management team training, experience and skills
Names of Board of Directors
List of incubator staff positions with a resume for each staff person with areas of discipline indicated for each (i.e., management, finance, marketing, etc.)

Marketing Plan
Overall marketing strategy of incubator (This should be developed after an assessment of the service area, the size of the market and business services provided in the area)
Potential tenants (customers) – Who are they?
Expected occupancy rate – What is this based upon?
Market area – Service area covered

Marketing Plan Write-up (the 4 P’s)
Product
Describe specific services (consulting and support) and facilities offered to tenants. Specifically discuss the management, finance and marketing consulting services offered to tenants.
Describe the tenant development strategy
Describe how tenants will be assisted in finding sources of seed capital and other funding requirements
Describe policy that addresses incubator/tenant mutual risk in tenant business startup and expansion
Price
Discuss the pricing structure of the services and facilities offered to tenants
Promotion
How will the incubator be promoted to potential tenants, service providers and the community?
What specific promotional tools will be used?
Place (Distribution Methodology)
How will services be specifically delivered to tenants?
Include in this section:
Price list of services offered
Price list of lease/rental rates

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32 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
33 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
34 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
Sample Contract or Memorandum of Agreement between incubator and tenant for services

Facilities and Operations

Facilities
- Ownership of building
- Description of facility – sq. footage, layout and design, furnishings, type of equipment available to tenant, conference room, tenant visitor and employee parking, etc.
- Facility maintenance
- Incubator facility insurance coverage

Operations
- What are the tenant requirements to be in the incubator?
- How long can a tenant stay in the incubator?
- Discuss terms and how tenants will pay incubator for rental lease and services provided
- Tenant insurance coverage
- Hours of operation
- Other considerations: access to building after hours, children and animals on premises, safety, theft of property, handling of emergency situations, etc.
- How will the incubator encourage cooperation and communication between incubator tenants?
- Discuss tenant out placement strategy
- Discuss tenant occupancy termination policy
- Include in this section:
  - Land and Facility title or 3 year lease or other assurance of long term availability to tenants
  - Legal description of property
  - Sample contract of incubator-tenant facility lease agreement
  - Drawing of facility layout
  - Copy of certificate of insurance

Support
- This section should demonstrate how the sponsor will encourage the sharing of ideas between tenants, aid the incubator and set policy for terminating occupancy of tenants in order to maximize the opportunity to succeed for the greatest number of tenants.

Financial Proforma
- Discuss other incubator sources of funding
- Include in this section:
  - 3 year proforma income statement and cash flow statement (Year 1 by month, Years 2 & 3 can be cumulative)
  - List assumptions made in proforma statement

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35 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
36 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
37 Reese, Laura. Small Business Incubators. Global Urban Studies Program. Michigan State University. Pg.4
Step #2 - Create Incubator Management Design & File for Nonprofit Status (see Implementation Plan for Developing a Nonprofit Organization)

Small Business Incubators are established as nonprofit organizations that work toward economic development in city or county areas. Nonprofit standing qualifies for tax-exempt status for both the organization and sponsor donations to the organization, eligibility for state and federal based grants, and access to many state and national nonprofit resources and information center memberships.

Establishing a nonprofit organization requires process accomplishment of the following areas:38

1. File the certificate of incorporation
2. Select board of directors
3. Develop vision and mission statements
4. Establish bylaws and board policies
5. Obtain an employer identification number (EIN)
6. Open a bank account and establish check signing procedures
7. File for federal tax exemption & state exemptions
8. Follow state and local nonprofit regulations
9. Find office space and obtain office equipment
10. Recruit staff and prepare a personnel manual
11. Establish a payroll system and procure necessary insurance coverage
12. Develop an overall fundraising plan

Please see the Implementation Plan for Developing a Nonprofit Organization for further details and appendices examples.

Step #3 - Select an Incubator Site & facility design

The incubator site plays an important role in the success of an incubator. Depending on the decision to renovate an existing facility or to build a new one, the site selection process should occur based on the convenience to potential tenants and their customers. An incubator site should be attractive and project an image of success. The decision to renovate or build a new facility should match the incubator’s goals as well as the needs of the market and community. Renovated facilities are typically cheaper per square foot than new facilities. Typically, renovated facilities are aimed at providing affordable space. New facilities are designed to focus on the provision of support services.39

Once a facility site and building are selected it is important to review the design of the facility for convenience factors. Convenience factors are arrangements in the building itself. Important factors include the location of corridors and loading docks. Tenants should have easy access to loading facilities. Location of office services, incubator personnel, and other services are also


important to operation by the tenant. Facilities should be designed for easy occupation by a variety of tenants. Ease of adaptability of tenant space is important to reduce the downtime facing a tenant who is moving into the incubator. All of the factors dealing with the move into and operation of the business within the incubator should be reviewed prior to construction, renovation, or grant application. It is highly improbable Federal grant funding would be rewarded to build on uninsurable land. Bolivar is encouraged to consider insurable land in High Island during the feasibility phase as a possible location to build the incubator.

Step #4 - Create Incubator Policies, Procedures, and Client Handbook

Clear communication is important in establishing trust and between parties. By articulating all policies, procedures, and responsibilities to potential small business tenants in a ‘Client Handbook’ at the point of startup conflict and fiscal liability can be avoided for all parties. All policies and procedures should be presented in writing to each business tenant, and signed letter of receipt returned to incubator administration offices and filed.

Policies procedures for consideration include:

- Mission Statement
- Rental Rates & Information
- Services Rendered
  - Required Services
  - Selective Services
- Phone Charges
- Copier and Fax Charges
- Rent & Utilities
- Training, Workshops & Seminars
- Computer Access & Policies
- Mentoring Programs
- Client Incubation Term
- Client Application Qualifiers
- Client annual evaluation qualifiers
- Logo use
- Incubator Advertising
- Goals for Graduating Business Tenant
- Emergency and evacuation policies

Step #6 - Prepare an Incubator Financial Plan

Incubators need to be viewed as a publicly supported community development technique, not as a potential revenue source. Incubators have been financed through cooperative private efforts but have tended to get most of their support from government financing at various levels. Although most likely implemented at the local or regional level, some or most funding is provided by higher level governments. In calculating the initial investment required for the incubator,

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operating expenses must be considered in addition to the more obvious costs of land, building, and infrastructure.42

Approximately one-third of business incubation programs are sponsored by economic development organizations. Government entities (such as cities or counties) account for 21% of program sponsors. Another 20% are sponsored by academic institutions, including two- and four-year colleges, universities, and technical colleges. The U.S. Economic Development Administration is a frequent source of funds for developing incubation programs, but once a program is open and operational it typically receives no federal funding; few states offer centralized incubator funding. Rents and/or client fees account for 59% of incubator revenues, followed by service contracts or grants (18%) and cash operating subsidies (15%).43

The financing plan will provide projections of how the incubator will operate for a five to ten year period. This plan must be created with reliable assumptions. Faulty estimates will nullify the effectiveness of the plan and jeopardize the soundness of the incubator. A financing plan needs to address how immediate and long-term capital needs will be met. The financing plan should determine if the incubator will be self-sustaining after five years.44

Federal grant money is traditionally utilized for startup and build costs associated with Incubator creation. Federal and State grants will need to be written to secure funding for implementation once non-profit status is obtained for the organization.

Most Federal grants function on a match money principle. Some states have utilized Tax Incremental Financing (TIF) property taxes as matching funds. As Bolivar is an unincorporated area, County assistance would be required for this type of financing. If TIF match money is unavailable, it is suggested to offer the endowment as potential match monies across Federal grants.

As operational funds are not included in federal or grant funding sources, Bolivar is encouraged to seek the creation of an Endowment to cover operational costs. The endowment should be raised during the first year of implementation so it may be included as part of the grant proposal. Having a secure funding source to cover all future operating costs will show federal agencies and foundations of Bolivar’s commitment to the incubator project, offset any concerns about funding an incubator in a unincorporated area, and secure longevity for the project. An initial endowment of 2-2.5 million is required to secure an annual return of $100,000.45 Endowments are usually achieved through corporate match funding sponsorship. Once secured Bolivar invested fundraising efforts would be approximately one million. With a strong board of directors, focused fundraising plan, and dedicated volunteer efforts, one million is a lofty but obtainable goal in one year’s timeframe.

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45 Interview with Derek Dickson, Director of the Community Foundation of the Brazos Valley. October 2009.
The initial build-out costs for Bolivar’s Incubator will be more in-depth compared to traditional incubator startups. Due to hurricane Ike there are limited buildings available for renovation or rent in the area. Issues concerning mitigation, insurance, and the appropriateness of the space must be fully addressed in the feasibility study. It is highly improbably Federal grant funding would be rewarded to build on uninsurable land. Bolivar is encouraged to consider insurable land in High Island during the feasibility phase as a possible location to build the incubator.

Revenue from the small business tenants and additional local sponsorships is needed to cover variable costs (non-fixed) annually. Annual fundraising is required by the board and Incubator staff to confirm funding for variable cost of operations, trainings, and other unexpected costs.

It is encouraged to seek highly skilled volunteer trainers to administer the many programs, consulting, financial, and service workshops offered to Incubator tenants annually. Payments to trainers can proceed as soon as variable funding is available and advantageous. There are several Texas organizations offering services to incubators and/or small businesses:

- Galveston County Economic Alliance
- Texas Small Business Development Center Network
- The US Small Business Administration (SBA)
- The Southeast Texas SBDC Network (hosted through The University of Houston Bauer College of Business)
- Galveston County Small Business Development Center
- National Business Incubator Association (NBIA)

Feasibility and Costs

Examples of cost/revenue balance sheets for two small business incubators is provided below, Concho Valley Center for Entrepreneurial Development in Texas and the Pacific Incubation Network in California.46

CONCHO VALLEY CENTER FOR ENTREPRENEURIAL DEVELOPMENT (CVCED)
EIN: 51-0421566
4 small business tenants
started in 2002

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<td>Liabilities:</td>
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46 GuideStar is a 501(c)(3) nonprofit organization. Copyright © 2009, GuideStar USA, Inc.
Contributions
Government Grants $0
Program Services $0
Investments $0
Special Events $0
Sales $0
Other $0
Total Revenue: $425,282

Expenses
Program Services $110,378
Administration $25,175
Other $0
Total Expenses: $135,553

Financial Comments
The CVCED is currently funded by local public money as the entire community is in support of our organization as well as pleased with our success. Currently, the CVCED has just enough funding to maintain its operations and are looking for any and all grants and donations. We are a 501 (c)(3).

Number of Board Members: 12
Number of Full-Time Employees: 1 - 5
Number of Part-Time Employees: 0
Number of Volunteers: 11 - 20

Executive Director Title Salary-$ 48,000
PACIFIC INCUBATION NETWORK  
EIN: 68-0417386  
Income: $137,745  
Assets: $23,505  
501(c)(3) Public Charity

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| Contributions   | $137,745 |
| Government Grants| $0       |
| Program Services | $0       |
| Investments     | $0       |
| Special Events  | $0       |
| Sales           | $0       |
| Other           | $0       |
| **Total Revenue:** | **$137,745** |

**Expenses**

| Program Services | $78,775 |
| Administration   | $26,259 |
| Other            | $26,257 |
| **Total Expenses:** | **$131,291** |

There are 11 full time board members- none are reported receiving fiscal compensation
Fiscal Funding sources for Incubator Small Business Tenants

USDA Business and Industry Loan Guarantee Program
The purpose of this program is to improve, develop, or finance business, industry, and employment in rural communities. Businesses financed under this program must be located in rural areas under 40,000 in population and non-urbanized areas. Priority will be given to communities with populations under 25,000. The program provides businesses with a loan guarantee with up to 80% on loans for existing businesses with a maximum loan amount of $5 million. This loan program will finance businesses with working capital, machinery, equipment, and fixtures and commercial real estate. USDA administers the program and can provide certified lenders to package and process the loan. For more information: www.rurdev.usda.gov.

Altira Group
Formed in 1996, Altira invests in companies that develop and commercialize energy technologies in the areas of natural resources, clean energy and electric power. Altira does not invest in projects for petroleum exploration and production or for power generation. For more information: www.altiragroup.com Contact: Denver, 303.592.5500 or dmcdermott@altiragroup.com.

Arch Ventures
ARCH provides seed and early stage venture capital for technology firms, with a special expertise in co-founding and building technology firms from startup. ARCH has experience in investing in life sciences, physical sciences and information technology companies. For more information: www.archventure.com Contact: Austin, 512.765.5830 or cwbybee@archventure.com.

Blue Sage Capital, LP
Blue Sage Capital is a $170 million private equity fund specializing in growth, recapitalization and buyout financings of middle market companies located primarily in Texas and the Southwest. Most of Blue Sage’s investments are in established, profitable companies with $5 to $100 million in revenues and $2 to $8 million of cash flow at the time of investment. Blue Sage does not specialize in any particular industry, but would consider a variety of manufacturing, distribution and business service companies. Contact: Albuquerque, 505.843.4267 or beverly.bendicksen@bankofthewest.com.

Epic Ventures
Epic, founded by Zions Bank, Epic does not focus on a particular technology sector, but looks for companies with the potential for explosive growth. The firm prefers to invest in companies in the Western United States. For more information: www.epicvc.com Contact: Salt Lake City, 801.524.8939 or Todd@epicvc.com.

International Venture Fund (IVF) or Invencor, Inc.
Headquartered in the Silicon Valley, IVF also has an office in Santa Fe. It focuses on investing in companies in Arizona, Hawaii, New Mexico and Utah, but considers investments in other
areas. IVF serves the investment gap between the angel community and larger venture funds. For more information: www.invencor.com Contact: Menlo Park, 650.330.1210 or richard@invencor.com.

Murphree Venture Partners (MVP)
MVP typically invests in companies with revenue traction in the $3 million to $30 million range, but will occasionally invest in a startup entity. MVP invests in the Sun Belt region with offices in Houston, Austin, Baton Rouge and Birmingham. For more information: www.murphreeventures.com Contact: Houston, 713.655.8500 or patrick@murphreeventures.com.

Red River Ventures
Red River Ventures has $86 million of capital under management and has invested in 18 different companies since 2000. Red River currently invests in a broad spectrum of industries, including business and consumer services, healthcare, manufacturing and technology. The firm provides funding for business start-ups, expansions of existing businesses, recapitalizations and management led acquisitions. For more information: www.redriverventures.com. Contact: Plano, 972.265.7946 or jim@redriverventures.com.

Tullis Dickerson (TD)
TD focuses on several industry segments: biotechnology and life sciences, pharmaceuticals, health care services, and medical devices. TD has established, funded and assisted in the growth of dozens of public and private companies with revenues ranging from zero into the billions of dollars. For more information: www.tullisdickerson.com. Contact: Greenwich, 203.629.8700 or tdickerson@tullisdickerson.com.

Buena Venture Associates (BVA)
Buena Venture Associates, L.P. ("BVA"), is an early stage venture capital investor. We are primarily interested in companies that have technology or offer services focused on the delivery of financial services over the internet. For more information: www.buenaventure.com Contact: Fort Worth, Tx. 817.800.5221 or idea@buenaventure.com.

Additional Funding contacts


Advantage Capital Partners Building One 6300 Bridgepoint Suite 220 Austin, TX 78730 Phone: (512) 380-1168 Fax: (512) 241-1186 www.advantagecap.com.

CCG Venture Partners, LLC Houston Office 14405 Brown Road Tomball, TX 77377 Tele: 281-290-8331 Fax: 281-290-8332 www.ccgvp.com

Centennial Ventures, Inc. Houston Office 1330 Post Oak Boulevard, Suite 1525 Houston, TX 77054 Tele: 713-627-9200 Fax: 713-627-9292 www.centenial.com

Center Point Ventures 6300 Bridge Point Parkway Building 1, Suite 500 Austin, Texas 78730 tel: (512) 795-5800 fax: (512) 795-5849 www.centerpointvp.com

Davis, Tuttle Venture Partners, L. P. DTVP is a private investment partnership formed to provide emerging growth companies with the necessary long-term development capital, as well as vital management counsel and support. DTVP invests in traditional venture capital situations, as well as acquisitions and other special opportunities. Its goals are to invest in companies distinguished by exceptional management and extraordinary growth opportunities - and then to maximize investment returns by supporting management in strategic matters and by providing objectivity and discipline to company policy decisions. Greenway Plaza, Suite 1320 Houston, Texas 77046 Phone: 713/993-0440 Fax: 713/621-2297 www.davistuttle.com

First Capital Group Dallas Office 5949 Sherry Lane, Suite 1450 Dallas, Texas 75225 214/382-1916 FAX: 214/692-6233 www.firstcapitalgroup.com

First Capital Group First Capital Group is one of the most established venture capital firms in Texas. Through a series of limited partnerships, the firm invests in a diversified mix of well-managed early- and expansion-stage companies primarily in Texas and the Southwest. First Capital Group provides equity capital to companies in diverse industries that fall into three general investment categories: early-stage, expansion-stage, and management buyouts/special-situation investments in small- and middle-market companies at more mature growth stages. San Antonio Office Post Office Box 15616 750 E. Mulberry, Suite 305 San Antonio, Texas 78212 210/736-4233 FAX: 210/736-5449 www.firstcapitalgroup.com

Haddington Ventures, L.L.C. Haddington Ventures, through its private equity funds, provides superior returns to its partners and investors by focusing on the midstream energy sector. The Fund generally makes control-oriented investments in companies focused on gathering, separation, processing, treating, compression, storage, and transmission. Haddington is unique in that it is the only midstream energy fund in which all principals have substantial direct operating experience. The Fund is capable of investing in both growth by acquisitions companies and greenfield development companies. This capability allows Haddington to capitalize on current market conditions in the midstream sector. 2603 Augusta, Suite 900 Houston, TX 77057 Tele: 713-532-7992 Fax: 713-532-9922 www.hvllc.com
**Dali, Hook Partners** Dali, Hook Partners is a venture capital firm with a primary focus on early stage enterprise software, communications and semiconductor companies. They are committed not only to working with entrepreneurs, but also to providing them with our expertise in areas of relationships and operating experience. They have a history of co-investing with other top-tier venture firms, and their partners have more than 40 years of successful venture capital experience and have 50 years of distinguished operating backgrounds to assist early stage companies. Two Galleria Tower 13455 Noel Road Suite 1670 Dallas, TX 75240 Phone: (972) 991-5457 Fax: (972) 991-5458 www.dhpartners.com

**InterWest Partners** InterWest Partners is a leading diversified venture capital firm currently investing InterWest IX, a $600 million fund. Investing since 1979, Interwest Partners has built long-term relationships with entrepreneurs and portfolio companies. They have knowledge in information technology and life sciences, have established a proven track record of identifying, validating and backing emerging trends and technologies. With more than $2B capital under management, they take a long-term, collaborative approach to venture funding, providing early stage and ongoing capital, management coaching and access to a broad network of resources. Two Galleria Tower 13455 Noel Road, 16th Floor Dallas, TX 75240 [t] 972-392-7279 [f] 972-490-6348 www.interwest.com
Development Plan 3: Developing a Nonprofit Organization

Background

Small business incubators assist new companies with deferring start-up costs, fixed expenses of operation, and management seminars and guidance. Business incubators are typically formed as nonprofit organizations. This section details the steps necessary to achieving nonprofit status. It is meant to help Bolivar Peninsula with both establishing a small business incubator and establishing other nonprofit organizations to help with festivals, mural projects, and other economic activities presented in this report.

One of the primary benefits of forming a nonprofit corporation is that the corporation’s members and directors are generally shielded from personal liability (unless the member or director acts in bad faith, without utilizing ordinary care, and in a manner the director cannot reasonably believe to be in the best interest of the corporation). It is also advantageous for a nonprofit to incorporate so that it can be eligible to receive government or community development loans and grants, which often require the organization to have a nonprofit objective. To qualify for a federal tax exemption under Section 501(c) 3, a substantial part of the organization’s activities must further religious, charitable, scientific, educational, or literary goals. The organization cannot be organized for the purpose of financial profit for its members and directors, although they can be paid a reasonable compensation for their work. 501(c) 3 nonprofit organizations are prohibited from intervening in political campaigns under IRS requirements. Lobbying or attempting to influence legislation is permitted only if lobbying does not constitute a substantial part of the organization’s activities.

Implementation

Small Business Incubators are established as nonprofit organizations that work toward economic development in city or county areas. Nonprofit standing qualifies for tax-exempt status for both the organization and sponsor donations to the organization, eligibility for state and federal based grants, and access to many state and national nonprofit resources and information center memberships.

Establishing a nonprofit organization requires process accomplishment of the following areas:

6. File the certificate of incorporation
7. Select board of directors
8. Develop vision and mission statements
9. Establish bylaws and board policies
10. Obtain an employer identification number (EIN)
11. Open a bank account and establish check signing procedures

12. File for federal tax exemption & state exemptions
13. Follow state and local nonprofit regulations
14. Find office space and obtain office equipment
15. Recruit staff and prepare a personnel manual
16. Establish a payroll system and procure necessary insurance coverage
17. Develop an overall fundraising plan

Attachments included as appendixes:

- Certificate of Formation for a Nonprofit Corporation Form
- Example of Board Roles and Responsibilities
- Example of Job Description- Nonprofit Board Chair Position
- Example of Job Description- Nonprofit Board member Position
- Example of Nonprofit Board Member- Application form
- Example of Nonprofit Board of Directors- Application form
- Examples of mission statements for Small Business Incubators
- IRS 990.cor
- IRS 990. Schedule A. Public Charity Status and Public Support form
- IRS 990-EZ
- IRS form 1023 -Application for Recognition for Exemption Under Section 501(c) 3 of the Internal Revenue Code
- IRS form SS-4
- IRS instruction 1023
- IRS Tax Exempt Status Form 557 -Tax Exempt Status for Your Organization
- Texas application for state tax exemption for charitable organizations
- Texas Certification of formation nonprofit- form 202
- Texas Certification of Formation. Form 205
- Timeline/Flowchart for nonprofit application—TX
- Handbook C-Bar- forming a nonprofit tax-exempt corporation in Texas

**Step #1 - File the Certificate of Formation/Incorporation**

In the United States, nonprofits can operate as unincorporated associations, charitable trusts, or corporations. There are fewer government reporting requirements for unincorporated associations, but they will find it more difficult to be recognized as tax-exempt, and they cannot receive grants from most foundations and corporations. Charitable trusts can be recognized as tax-exempt, but they do not offer their trustees the same protections from personal liability as those enjoyed by directors of not-for-profit corporations. While becoming and operating a nonprofit corporation requires considerable time and effort, the advantages of this form of legal organization are advantageous for Bolivar’s ongoing economic goals.50

The first step in becoming a corporation is drafting the legal incorporation document— the "certificate" or "articles" of incorporation—and filing the document with the appropriate office within the state government, Texas Attorney General. State incorporation is usually accomplished within a matter of weeks, although multiple or complex state agency reviews can considerably extend that period.51

As one prepares the articles of incorporation, they will need to determine the name of the organization, where the organization will be headquartered, and its overall purpose. When preparing the "purposes clause," remember to state the goals of the organization broadly in order to provide program flexibility in the future, and do not include specific programs unless the organization in fact plans to conduct those programs.52

Prior to the incorporation process, decide if it will be a “membership organization.” Members may have significant rights with respect to internal governance, such as the right to elect and remove directors, vote upon changes in the structure of the organization and amend bylaws. Becoming a membership organization can be beneficial. For example, prominent individuals from existing community groups affiliated with your organization may feel a strong sense of ownership in the effectiveness of the board of directors, and in the overall success of the nonprofit's mission if they are members. However, forming the corporation as a membership corporation also imposes legal obligations in preserving the rights of members to participate in the corporation's governance.53

File the Certificate of Formation with State Office

Deliver the original and one copy of the certificate of formation, along with the filing fee, to the Secretary of State, Statutory Filings Division, Corporations Section, P.O. Box 13687, Austin, Texas 78711-3607. The certificate may also be delivered in person to the Secretary of State at the James Rudder Office Building, 1019 Brazos, Austin, Texas. The Secretary of State’s phone number is (512) 463-5555 or TDD (800) 735-2989. For an additional expedited filing fee, an organization can get approval within approximately 72 hours. Even without the expedited fee, it generally takes no longer than a month to get approval. After approving the certificate, the Secretary of State will issue a “certificate of formation.” The Secretary of State will mail the certificate along with a certified copy of the certificate of formation to the incorporator of the organization. The corporation legally exists on the date stamped on the certificate of formation.54

Step # 2 - Select individuals to serve on the board of directors

The board of directors is the governing body of a nonprofit organization. The responsibilities of the board include discussing and voting on priority issues, setting organizational policies, and

hiring and evaluating key staff. Board members are not required to know everything about nonprofit management, but are expected to act prudently and in the best interests of the organization. They approve operating budgets, establish long-term plans, and carry out fundraising activities.55

Finding desirable board members can be a difficult task. A good board member is someone who is interested in the organization's purpose, willing to work within a group, and be in a position to make financial contributions to the organization, or to find others who will. Inviting prominent members of the community to join your board can attract interest, excitement and prestige to the organization. It is also desirable if board members are well known in the field in which the nonprofit organization functions and it can be extremely beneficial if they have expertise in areas such as real estate, nonprofit law and accounting. For example, having someone on the board that is savvy on real estate matters can be quite helpful when complex issues arise down the road, such as negotiating leases or purchase contracts.56

Important points during this process:57

- It is essential that prospective board members be told what is expected of them before they are proposed for election. Ask people to join the board by providing a "job description" for their review.
- Build a board slowly. Proceeding carefully can provide the necessary time for learning why an individual wants to become a board member, and deciding whether his or her agenda is compatible with the organization's agenda.

When building the board, it is important to recruit beyond friends and acquaintances. Often, there is a false assumption that professionals and businesspeople will not be sympathetic to the pursuits of a new grassroots organization.58

Strategies that can be employed to seek board candidates:59

- Seek out the advice of local funders, such as foundation staff, United Way officials, and government officials who have an interest in your organization's mission
- Contact executive directors and board officers of large, established nonprofit institutions in your community for their suggestions
- Speak to religious leaders in your locale to see if they can recommend any candidates, particularly from their own congregations
- Ask for volunteers at any canvassing efforts, open houses, special events, and benefits that your organization sponsors60

Resources on the Web:

- BoardSource: Building Effective Nonprofit Boards  http://www.boardsource.org/
- Free Complete Toolkit for Boards (Posted by the Management Assistance Program for Nonprofits)  http://www.managementhelp.org/boards/boards.htm

Step # 3 - Develop vision and mission statements

Vision and mission statements should articulate the essence of the organization's beliefs, values, and definition for existence. They establish the long-term direction that guides an organization's daily operations and strategic plans.\(^{61}\)

A vision statement expresses an organization's optimal goal and reason for existence, while a mission statement provides an overview of the group's plans to realize that vision by identifying the service areas, target audience, and values and goals of the organization.\(^{62}\)

In drafting appropriate statements for the organization, think about answers to the following questions:\(^{63}\)

**Vision**
- What are the values or beliefs that inform the work?
- What is the ultimate hope accomplished as a result of these efforts?

**Mission**
- How do you plan to work toward this broad vision?
- For whose specific benefit does the organization exist?

Step #4 - Establish bylaws and board policies

Bylaws define how a nonprofit organization will be managed and how it will run. To determine which staff and board members have authority and decision-making responsibilities and how those responsibilities should be carried out. They create a framework for the organization, and aid in resolving internal disputes. They also describe the rules for calling board meetings, and how and when board members are elected.\(^{64}\)

In addition to bylaws, it is advisable to have something at a lower level of formality, such as board policies. For example, a Conflict of Interest Policy and set up a procedure for board members and officers to disclose whether they, or people close to them, may be in a position to benefit from something the nonprofit is doing. Having such a policy in place will assure funders

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that the chief officers of the nonprofit organization understand the importance of handling charitable dollars prudently and responsibly.65

Step #5 - Obtain an employer identification number (EIN)

To open one or more bank accounts in the name of the organization (and to file Form 990 with the IRS after each fiscal year), one will need to obtain an employer identification number (EIN), also called a federal tax identification number. An EIN may be obtained by filing Form SS-4 with the Internal Revenue Service. This step is necessary for withholding employee income tax once you begin to hire staff.66

Obtaining an EIN usually takes no longer than 30 days and there is no filing fee:


How to Apply for an EIN
You can apply for an EIN online, by telephone, fax, or mail

Apply Online:
Note: This is a free service offered by the Internal Revenue Service at www.irs.gov. Beware of websites on the internet that charge for this free service.

The internet is the preferred method to use when applying for an EIN. Visit the IRS website at www.irs.gov (keyword“EIN”). The application includes embedded help topics and hyperlinked keywords and definitions. The information submitted is validated during the online session. Once completed, the EIN is issued immediately and can be downloaded, saved, and printed. (This feature is not available to Third Party Designees)67
The application is available during the following hours:
Monday - Friday 6:00 a.m. to 12:30 a.m. Eastern time Saturday 6:00 a.m. to 9:00 p.m. Eastern Time. Sunday 7:00 p.m. to 12:00 a.m. Eastern Time. The principal officer, general partner, grantor, owner, etc. must have a valid Taxpayer Identification Number (Social Security Number, Employer Identification Number, or Individual Taxpayer Identification Number) in order to use the online application.68

Step #6 - Open a bank account and establish check signing procedures

It is important to establish a prudent system of checks and balances when dealing with the finances of an organization. It is advisable to allocate finance work among several people so no

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one person is in charge of handling all of the transactions related to money. For example, when dealing with the receipt of cash, there should be one staff member who receives and tallies the funds, but a different staff member who then is responsible for taking the money to the bank and making the deposit. One should arrange for bank statements to be sent directly to the executive director, in order to ensure that each transaction can be accounted for. In turn, the bank statements then can be forwarded to the staff member responsible for reconciling the account(s). By proceeding in such a prudent fashion, the potential for misappropriation of funds is minimized. Sound fiscal procedures please auditors, as well as future donors.

Resources on the Web:


Step #7 - File for federal tax exemption

File with the Internal Revenue Service for tax-exempt status under Section 501(c) 3. Form 1023 is the multi-page form to file. Within three to six months of submitting paperwork, a letter notification granting tax-exempt status to the organization should arrive. Organizations that achieve 501(c)(3) status are exempt from federal taxes, and contributions given to them are deductible by donors for income tax purposes. In addition, the overwhelming majority of private foundations in the U.S. award grants only to organizations that have this particular tax-exempt status.

Although one can complete Form 1023 without outside assistance, it is not advisable to do so. Success in securing both state incorporation and federal tax-exempt status usually requires the assistance of an attorney, and competent legal counsel often helps the process move smoothly. If one has limited financial resources, one might contact a public interest legal organization that connects nonprofit organizations with volunteer business lawyers. There is a growing network of providers in cities all over the United States, coordinated by an organization in New York called “Power of Attorney.”

Resources on the Web:


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Step #8 - Follow state and local nonprofit regulations

Apply for Franchise Tax Exemption from Texas Comptroller

Nonprofit corporations are subject to the Texas franchise tax unless an exemption from the Texas Comptroller is obtained. Corporations which have already received their 501(c)(3) tax exempt status from the IRS need to send a cover letter to the Comptroller at 111 E. 17th Street, Austin, Texas 78774, requesting a franchise tax exemption and enclosing a copy of their 501(c)(3) determination letter from the IRS. Corporations that are not required to file a Federal tax exempt application, such as corporations which normally have annual gross receipts of less than $5,000 a year, may receive a state franchise exemption by preparing a letter stating the reasons the corporation believes that it meets the requirements for state and federal tax exemption status (include citations to the appropriate sections of the Texas Tax Code).

Apply for Sales Tax Exemption from the Texas Comptroller

Exempt corporations can buy, lease, or rent taxable items without paying sales and use tax if those items are necessary to their functions. A written request must be made to the Comptroller’s office, asking for exempt status from the “limited sales, excise, and use tax.” The following information must also be included in the request: (1) a detailed description of the corporation’s activities; (2) a copy of the certificate of formation; and (3) a copy of the IRS exemption letter. The request should be sent to: Tax Policy Division, Exempt Organizations Section, Texas Comptroller of Public Accounts, PO Box 13528, Austin, Texas 78711-3528. The Comptroller will then send the organization written notification of exempt status. Upon receipt of notification, the organization should complete the Comptroller’s exemption certificate, available at http://www.window.state.tx.us/taxinfo/taxforms/01-3392.pdf. The certificate should be provided to each vendor at the time of purchase.

Exemption from Texas state taxes is determined by the Texas Comptroller of Public Accounts. Questions can be directed to:

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Apply for Property Tax Exemption from the Local Tax Appraisal District

Nonprofit organizations that are exempt under Section 501(c) 3 may qualify for exemption from state sales tax as well as from property taxes (if property is owned). For property tax exemption, apply to your local (county, town, or city) tax assessor’s office. Charitable Organization Property Tax Exemption see, - www.window.state.tx.us/taxinfo/taxforms/50-115.pdf.79

Note: Texas does not participate in the Unified Registration Statement (URS). Nonprofits must register independently through state, county as necessary.80

Texas Charities Registration Bureau

Under Texas law, most charities or nonprofit organizations are not required to register with the State Fundraising Registration Bureau. Exceptions exits for organizations that solicit for law enforcement, public safety or veterans causes.81

Step #9 - Find office space and obtain office equipment

Finding office space can be a challenge in the best circumstances. Bolivar may need to establish a capital campaign or other building fundraising if alternative office space is not available on the peninsula.

When obtaining office equipment, evaluate as to whether rental or purchase is in the best fiscal interest of the organization. Include considerations involving the quality or the equipment, duration of service contract and associated costs.82

Step #10 - Recruit staff and prepare a personnel manual

It is essential for the organization to have solid staff in place to carry out programs and administrative functions. Volunteers can be helpful to an organization, depending on the budget size; future donors may question the commitment level of staff if the organization relies too heavily on volunteers. The consensus among funders is that paid staffs are more reliable than unpaid volunteers.83

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Finding competent staff is extremely important, and in some ways it is even more challenging than recruiting board members. Initially, staff will be smaller than the board, and the staff is going to encompass all qualities for the board as a whole. Senior staff should be charismatic, articulate, well connected, and organized. They also will need to be good managers, experienced fundraisers, and have a solid understanding of the organization's goals, and effective implementation techniques.\(^8^4\)

Prepare a personnel manual, which outlines policies related to overtime, annual and sick leave, health insurance and retirement benefits. While this document is not critical in the initial stages of setting up a nonprofit organization, it will limit liability and confusion for staff later in the organization’s life cycle.\(^8^5\)

Resources on the Web:

- Human Resources Management (posted by the Management Assistance Program for Nonprofits): [http://www.managementhelp.org/hr_mgmnt/hr_mgmnt.htm](http://www.managementhelp.org/hr_mgmnt/hr_mgmnt.htm)
- Personnel Policies, Handbooks and Records (posted by the Management Assistance Program for Nonprofits): [http://www.managementhelp.org/policies/policies.htm](http://www.managementhelp.org/policies/policies.htm)

Step #11 - Establish a payroll system and procure necessary insurance coverage

Make payroll arrangements to compensate full time and part time staff, as well as independent contractors. It is important to distinguish the role of independent contractors from that of part time staff. Independent contractors are hired to perform very specialized, short-term projects for the organization (i.e. accountants, lawyers, consultants), whereas part time staff are permanent or long-term employees of the organization.\(^8^6\)

Funds that are earmarked for payroll tax can never be used for any other purpose. Be very careful, since committing such an error may result in substantial penalties from the Internal Revenue Service. In addition to salary, benefits are an important part of the compensation package, and the state government will insist that the nonprofit have certain coverages. These ordinarily include workers' compensation and disability insurance.\(^8^7\)

Resources on the Web:

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Step #12 - Develop an overall fundraising plan

There are many different ways to maintain a viable, financially stable nonprofit organization. It is important to develop funding from a mix of individual and institutional sources, as well as earned income generated from special events, products, services and membership fees.88

Individuals extend their support in a variety of ways: they make contributions and pledges in response to direct mail requests, phonations, and appeals on the Internet, door-to-door canvassing, and face-to-face solicitations. Institutions that provide both financial and in-kind support to nonprofits include foundations; businesses and corporations; local, state and federal governments; and religious institutions.89

Today, diversification of support is vital, and no organization can hope to finance its work successfully from any one source. Even if it does succeed in obtaining that one large, elusive grant, there's no guarantee the grant will be renewed each year, and the organization's future will not be secure.90 Moreover, funders like to see that an organization's funding is diversified, for this shows broad-based agreement that its mission is important and worthy of support.91

Resources on the Web:

- Find out about foundation grants for your subject area or field of interest: http://foundationcenter.org/getstarted/
- Find Web sites for researching prospective individual donors: http://foundationcenter.org/getstarted/faqs/section_2e.html
- Find information on government grants http://foundationcenter.org/getstarted/faqs/html/government_grants.html

Texas Specific laws and statutes to be aware of: http://tlo2.tlc.state.tx.us/statutes/bo.toc.htm

- Electronic Mail Solicitation Laws
- Liability Laws for Charitable Organizations and Volunteers
- Chapter 123 Proceedings
- The Texas Property Code, Chapter 123

Texas Property Coded, Chapter 123, provides the Attorney General with standing to intervene in any proceeding involving a charitable trust on behalf of the general interest of the public of this state. This chapter also requires notice to the Attorney General by any party initiating such a proceeding.\textsuperscript{92}

This is accomplished by sending to the Attorney General, by registered or certified mail, a true copy of the petition or other instrument initiating the proceeding involving a charitable trust within 30 days of the filing of such petition or other instrument, but no less than 25 days prior to a hearing in such a proceeding. Notice is not required if the proceeding is initiated by an uncontested application that exclusively seeks the admission of a will to probate.\textsuperscript{93}

Direct correspondence to the following address:

Office of the Attorney General  
Charitable Trusts Section  
Consumer Protection Division  
P.O. Box 12548  
Austin, TX 78711-2548

*Expediting Chapter 123 Proceedings*

Once notice to the Attorney General is provided, it is often necessary to obtain additional information to aid in our determination as to whether intervention is warranted. A significant amount of time is expended by our office in obtaining this information. The following is a list of helpful information which, if provided upon submission, may expedite review of your proceeding.\textsuperscript{94}

1. Include a cover letter accurately summarizing the relief requested. Tell us why the proceeding has been filed. Include any helpful background information which explains the basis for the requested relief and whether it significantly impacts the interest(s) of charity(ies). Explain why the proceeding may or may not warrant the intervention of the Attorney General.\textsuperscript{95}

2. Include all attachments to the pleading which initiates the action.

3. Include any documents which may not be attached to your pleading, but which may help in our review. Examples (not intended to be exhaustive) include:

   (i) the articles of incorporation for non-profit corporate entities;
   (ii) the will (or wills) and any codicils, if the matter involves a charitable bequest or testamentary trust;


(iii) trust documents, including all amendments;
(iv) documents relating to the nature and charitable mission of the charitable entities involved, if trust funds are sought to be transferred from one charitable entity to another;
(v) copies of notice to all specific charitable entities interested in the proceeding;
(vi) copies of any pleadings filed by charitable entities, including waivers of participation or other evidence of agreement to the relief sought; and
(vii) copies of all other pleadings pertinent to our review.

4. Include information regarding the value of the estate or trust assets.

5. If the proceeding is a trust reformation, specifically state in your petition for reformation how your request to reform meets the standard contained in Texas Property Code §112.054 authorizing the court to reform, namely:

   (1) the purposes of the trust have been fulfilled or have become illegal or impossible to fulfill; or
   (2) because of circumstances not known to or anticipated by the settler, compliance with the terms of the trust would defeat or substantially impair the accomplishment of the purposes of the trust.

Texas Nonprofit Resources9697

- Texas Association of Nonprofit Organizations: A gathering place for all nonprofits within the state of Texas.
- Texas Nonprofit Management Assistance Network: An association of providers identifying and meeting the needs of Texas Nonprofits.
- Texas Business Advisor: The Texas Business Advisor provides links to various sites that may be of assistance to non-profit associations.
- Charitable Trust Section of the Office of the Attorney General
- Texas C-Bar: Community Building with Attorney Resources provides free legal assistance to Texas non-profit organizations.
- OneStar Foundation: OneStar promotes service and volunteerism, forges effective public and private partnerships, and works to increase the performance of non-profit organizations.

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Development Plan 4: Fort Travis Revitalization

Background

Fort Travis represents a historical resource for the Bolivar Peninsula. The Fort is currently designated in the National Register of Historic Places and recognized for its historical significance by both the National Park Service and the Texas Historical Commission. Fort Travis Seashore Park is owned by Galveston County and operated by the Galveston Parks and Senior Services Department.

Original recommendations for the Fort Travis revitalization included building new facilities with possibilities including RV campsites, picnic shelters, and a group dining hall/meeting area. However, due to the historical significance of the site, modification of Fort Travis or construction of these projects was deemed unfeasible. A representative from the Galveston Parks and Senior Services department confirmed this type of development would not fit into Fort Travis’s historic preservation goal.

However, options still exist for revitalizing Fort Travis and for building RV park facilities at a different park location. These options are discussed in this implementation plan.

Option 1: Restore Structures at Fort Travis

The bunkers at Fort Travis are eroding in places and in need of repair. However, because of the strict guidelines that dictate development on any historic structures, Bolivar has not been able to properly renovate them. Instead, bunkers are fenced off from the public in areas. Also in need of repair are the sea wall and walking trail bordering the Gulf of Mexico. Areas are holding water and making the walking trail unusable.

Restoring the existing facilities will make Fort Travis more aesthetically pleasing. Greater interpretive opportunities will be available if the public can fully view the bunkers and tie themselves to the historical significance of the Fort.

Restoring the facilities will also make the Fort more functional and provide better recreational opportunities to the public. The walking trail around the sea wall is currently so eroded in places that it is impassable. Repairing it will allow multiple types of users (joggers, walkers, those in wheelchairs and strollers, etc.) to enjoy the trail. It will help improve the overall appeal for the park.

Option 2: Create New Facilities at Other Bolivar Parks

Even though construction of RV camping sites is not feasible at Fort Travis, it would be possible at the other Bolivar Peninsula Parks. Gregory Park and Noble Carl Park are recreation based instead of historically based, and do not carry the same development and construction prohibitions that Fort Travis has. They are also in proximity to the Gulf of Mexico and RV parks and camping facilities would be popular especially during festivals and special events held at these parks.
Funding Options

Several grants are available that could help fund the revitalization of the Fort Travis structures and fund the construction of RV camping facilities at the other Bolivar Parks. The different grants available are discussed briefly. All grants listed require matching funds. Bolivar Peninsula would need to use different fundraising options such as proceeds from special events to raise funds for these grants.

Texas Parks and Wildlife Department Grants98

Outdoor Recreation Grants

This program provides 50% matching grant funds to municipalities, counties, MUDs and other local units of government with a population less than 500,000 to acquire and develop parkland or to renovate existing public recreation areas. There will be two funding cycles per year with a maximum award of $500,000. Eligible sponsors include cities, counties, MUDs, river authorities, and other special districts. Projects must be completed within three years of approval. Application deadlines are January 31st and July 31st each year (the master plans submission deadline is 60 days prior to application deadline). Award notifications occur 6 months after deadlines. For complete information on this land acquisition/park construction grant, please download the Outdoor Recreation Grant Application.

Indoor Recreation Facility Grants

This program provides 50% matching grant funds to municipalities, counties, MUDs and other local units of government with a population less than 500,000 to construct recreation centers, community centers, nature centers and other facilities (buildings). The grant maximum will increase to $750,000 per application. The application deadline is July 31st each year (with master plan submission deadline 60 days prior to application deadline). Award notifications occur the following January. For more information on this land acquisition/facility construction grant, please download the Indoor Facility Recreation Grant Application.

Texas Preservation Trust Fund Grants (Texas Historical Commission)99

The THC provides grants for a wide range of preservation projects through the Texas Preservation Trust Fund (TPTF). From downtown theaters to history-related web sites, countless Texas projects have benefited from this initiative. TPTF grants pay up to one-half of total project costs to help preserve Texas’ cultural resources. Grant funds are awarded for acquisition, development, planning, and heritage education.

Who may apply? THC staff assesses potential grant eligibility based on specific criteria. These requirements are available at www.thc.state.tx.us or by calling 512/463-6094. Projects eligible

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for grant assistance include: commercial buildings, public buildings (such as schools, city halls, libraries and museums), unique historic structures (such as bridges, water towers, lighthouses and ships), archeological site surveys, and training for individuals and organizations about historic resources and preservation techniques.

Application Process and Deadlines: Applications will be available early each year. There are two steps in the grant application process. First, all applicants are required to submit brief application forms for the THC to review. The THC will select the highest priority projects from the initial application and invite those applicants to move forward to the second step. Successful applicants will continue the process by submitting detailed project proposals. Full project proposals will be considered by the agency's commissioners in the fall of each year. The exact timetable will be published on the THC web site as grant cycles are announced.

Review process: An interdisciplinary panel of agency staff and the TPTF Advisory Board review the applications and project proposals. The agency’s commissioners give final approval.

Project example: The 1910 railroad depot in Sterling City underwent a major rehabilitation effort that converted the structure into a senior citizens center. The renovated building features an arts and crafts room, meeting room, dining room and kitchen. The $14,000 TPTF grant helped repair the existing brick chimneys, clay tile roof, decking and framing.

Funding information: TPTF is an interest-earning pool of public and private monies. The earned interest and designated gifts are distributed yearly as matching grants to public and private owners of eligible historic properties and archeological sites. In fiscal year 2007, the THC reviewed more than 70 requests for grants ranging from $2,500 to $30,000. The agency awarded 27 matching grants totaling $477,800.

For more information: Call 512/463-6094 or email lisaharvell@thc.state.tx.us.

Save America's Treasures Grant Program (National Park Service)

The Federal Save America’s Treasures program is one of the largest and most successful grant programs for the protection of our nation’s endangered and irreplaceable cultural heritage. Grants are available for preservation and/or conservation work on nationally significant intellectual and cultural artifacts and historic structures and sites. Intellectual and cultural artifacts include artifacts, collections, documents, sculpture, and works of art. Historic structures and sites include historic districts, sites, buildings, structures, and objects.

Grants are awarded to Federal, state, local, and tribal government entities, and non-profit organizations through a competitive matching-grant program, administered by the National Park Service in partnership with the National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services and the President's Committee on the Arts and the Humanities.

Development Plan 5: Geocache Program for Bolivar Peninsula

Introduction

Geocaching is a recent phenomenon that involves using GPS coordinates to locate a hidden treasure or “cache”. The first recorded cache was placed in 2001, and 75 caches were documented by the end of the year. Currently the main geocache website, geocaching.com, reports almost 500,000 caches worldwide. Caches vary in size and are often placed in areas that have some significance such as scenic, historical, cultural, etc.\(^{101}\)

Many parks at the city and state level have seen a drastic increase in both the number of caches placed in their parks and the number of participants seeking them. Geocache participants are always seeking new caches to find.

Bolivar Peninsula has identified geocaching as a potentially successful program that can promote economic activity on the peninsula. This section outlines the development of a geocache program for the Bolivar Peninsula.

Elements of the Geocache Program

The Bolivar Peninsula Geocache Program will hide a series of caches at various points of interest incorporating cultural, historical, environmental, and social elements of the peninsula. The goal of the geocache program will be to draw visitors to Bolivar to seek the caches, and in the process stimulate their interest of the peninsula. This will indirectly impact economic activity as potential future tourists learn of the peninsula’s charm. Economic activity will be impacted directly through their visit by the geocachers spending money on food and supplies while on Bolivar Peninsula.

Bolivar Blueprint participants should decide which points of interest they would like to include in the initial geocache program. Other points of interest to use for caches can be included as the program grows in popularity. For example, the first cache would be located close to the Ferry, with others located at other points of interest including Fort Travis, Crystal Beach, Rollover Pass, the Intracoastal Waterway, High Island Bird Sanctuary, etc. Holistically the caches would give participants a tour of the peninsula and encourage them to stay at least one day. Bolivar Blueprint participants are encouraged to designate at least 15 potential cache sites to start the program. Once designated, the Bush School team can assist Bolivar Blueprint participants in creating interpretive messages for the caches.

Using Geocaching.com

Bolivar Peninsula will need to register an account with geocaching.com. Geocaching.com is the premiere site for the geocache community. Basic membership is free; however premium membership is available for $30 per year. The premium membership account may be a wise

option for Bolivar Peninsula because it allows access to custom searches and instant notification when caches are located, among other options102 (Geocaching.com 2009).

Geocaching.com thoroughly guides geocache users through every aspect of geocaching. The site is a great reference with detailed directions on how to hide a cache, seek a cache, record cache coordinates and descriptions on the site, load cache coordinates into a GPS, and maintain a cache.

Managing and Promoting the Geocache Program on Bolivar Peninsula

It is recommended that the geocache program has a central website that potential users can easily locate. The website should have a description of the geocache program along with the coordinates to find the caches. The program could be a separate page on the Bolivar Chamber of Commerce or Galveston County website, or have its own website altogether. It is advisable that the Chamber, County, and other visible Bolivar websites have links to the geocache program.

The geocache program would need a designee to oversee it and help develop the program. This can be a volunteer or a staff member with the county. The designee needs to have access to a GPS and know basic GPS skills so that they can place the caches at their locations and periodically check caches for maintenance. It is recommended that volunteers from the local community familiar with geocaching help maintain the program. As the number of geocaching participants continues to grow, ample volunteers located on the peninsula or in proximity to it could most likely be located. Volunteers should report to the designee for coordination and maintenance efforts. Volunteers from the geocache community will also be able to provide feedback on how the program is going.

Cases and Examples as Models to Help Develop the Program

Texas Parks and Wildlife Department Geocache Challenge

The Texas Parks and Wildlife Department recently started a “Geocache Challenge.” The challenge involves locating a series of twelve caches in their Region 5 parks. Caches have an interpretive message about the park that the participant must use to answer a series of questions on their logbook. Once all the caches have been found and the questions in their workbook answered, the participant can send in their logbook to TPWD and is then issued a Geocache Challenge certificate.103 The first 100 participants to find all twelve caches also received a commemorative Geocache Challenge coin. The passport book is attached at the end of this section as a reference to Bolivar for creating its own geocache passport.

Supplies used for the program:

- Ammo Boxes for the Caches
- Log Book located inside each cache
- Texas State Park Geocache Challenge Passport Book (can be downloaded from the website and printed)
- Orienteering punch used to mark off cache in passport book


• Small trinkets placed in each cache; take-one-leave-one concept

Maryland Municipal League Geocache Trail

The Maryland Municipal League (MML) was the first municipal organization to create a statewide city/town geocache trail. Participants must use geocaching.com to find the MML account which lists the coordinates for the caches in the program. The geocache trail consists of many caches tied together by a central theme of “Celebrating Maryland’s Cities and Towns.” A total of 78 caches in 11 regions throughout the state comprise the program. Participants can pick up a copy of the program passport at visitor centers or download it online. The first 500 geocachers to locate at least 22 caches receive a commemorative geocache coin.104

Supplies used for the program:
• Cache container (ammo boxes or plastic watertight container)
• Log book located inside each cache
• MML Geocache Trail Passport (pick up at participating visitor centers or download from the website)
• Special stamp located insight each cache to punch that cache in the Passport

Cleveland Metroparks Geocache Program

Cleveland Metroparks has placed several caches within its borders. It updates the location of its caches through geocaching.com. Locations are changed yearly. For the year 2010, Cleveland Metroparks will place caches that fit into one of four themes; Take a Hike, A Moment in History, Family Fun, and Natural Wonders. The program encourages participants to either locate all caches from a particular theme group, or locate one cache from each theme group. Cleveland Metroparks’ goal of the program is to encourage the education, conservation, and recreation opportunities based on the unique attributes of Cleveland Metroparks.105

Costs Associated with the Bolivar Peninsula Geocache Program

The following section details basic costs for supplies used in maintaining a geocache program. Geocaches use hardy, waterproof containers to house the cache. Common geocache containers include ammo boxes and durable plastic containers like Tupperware. Geocache.com sells ammo boxes for $15 and clear plastic containers for $9. Military surplus stores sell similar ammo boxes for $12.106 Clear plastic waterproof containers are also sold at Wal-Mart and grocery stores for various prices under $10.107 Geocache.com also sells logbooks for $8, but these could be printed and bounded at a local copy store for a substantial amount less. Individual stamps for each cache could be purchased for less than $5 each at Wal-Mart.

GPS units vary greatly in price. Most likely the designee administering the Bolivar Geocache program along with the volunteers will have their own GPS units. If the program designee does not have a GPS, one will need to be purchased. A rough idea of GPS costs: a basic Garmin etrex costs $150 and a high end Garmin 60CSX costs $350 at Recreational Equipment Incorporated (REI). Just a basic GPS that can accurate plot the location of the caches is needed.

Other costs to be associated with the program would be those tied with the development of the program; designating cache locations, creating the interpretive messages for each cache, creating the logbooks for each cache and the passports for the participants to use, maintaining the geocache.com account, maintaining the program’s website, and maintaining the caches themselves. As stated earlier, volunteers could be utilized for many of these functions.

The below images show examples of different geocache containers sold at geocache.com:108

- Ammo Box $14.99

![Ammo Box](image1)

- Plastic clear box with logbook $9.99

![Plastic Clear Box](image2)

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Welcome to the Texas Geocache Challenge!
Adventure and discovery await you as you find specially placed hidden items that reveal exciting facts and stories about Texas State Parks.

- We have hidden a special geocache in each of 12 state parks for you to find. This passport is your proof you found each cache, so keep it dry and clean. Write down each coordinate (waypoint) into this booklet before leaving for the state park. Waypoints can be found at [www.tpwd.state.tx.us/geocaching](http://www.tpwd.state.tx.us/geocaching).

- Inside each cache, you will find a logbook. Sign your name, date and message for others to read. The front of the logbook will contain a story describing a special feature of the park. Use this to answer the two questions listed in this passport. There will also be a special orienteering punch, which you should use in the designated area of the passport. These two elements are your proof of finding the cache.

- There will also be small prizes and trinkets for trade. Be sure to bring something with you and trade for something of equal or lesser value.

That's it! Continue searching for the rest of the caches in the Texas Geocache Challenge and other caches hidden in your state parks. Go to [www.geocaching.com](http://www.geocaching.com) to log your cache.

Once you have found all 12 caches, send your completed passport to:
Texas Geocache Challenge - TPWD
944 Highway 71 East, Bastrop, TX 78602
The first 100 returned passports receive a commemorative Texas Geocache Challenge coin. Other gifts will include large stickers and certificates of completion. Passports must be legible to claim prizes.

Example of the Texas Geocache Challenge Passport book[^109]

<table>
<thead>
<tr>
<th>Bastrop State Park</th>
<th>Coordinates:</th>
<th>N</th>
<th>W</th>
</tr>
</thead>
<tbody>
<tr>
<td>What types of historic structures might one encounter at Bastrop SP?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Where did the CCC get the rocks and lumber used for construction?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Buescher State Park</th>
<th>Coordinates:</th>
<th>N</th>
<th>W</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name two types of trees you might see at Buescher SP.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>What kinds of animals find sanctuary in our forest?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Development Plan 6: City Mural Projects

Background

Bolivar Peninsula has requested implementation plans regarding potential city mural projects for the peninsula. Developing tourist and cultural economic projects at the Bolivar Peninsula landing is advantageous for the community. These are based off the internationally famous “Whale Walls” painted by environmental artist Wyland and similar to the Post Office murals commissioned during the Great Depression. During the Great Depression President Franklin D. Roosevelt sought ideas for public relief projects to inspire Americans to rebuild their lives, an artist friend asked the President to employ artists to beautify the walls of public buildings with positive images of American life and history.\(^{110}\) There are several Post Office murals still in Texas. Bolivar could create a mural of a city interest such as a blue crab wall, seascape, or historic Fort Travis picture.

Possible project scenarios include

- Singular city mural project commissioned through the Bolivar Chamber of Commerce.
- Community outreach programs paired with the local high school summer programs similar to programs in Newark, New Jersey.\(^{111}\)

Implementation

Implantation may be accomplished through two different programming pathways including either a singular city mural project or a community youth and art outreach program. The primary difference between the two is the educational coordination with the community’s high school aged youth. The singular city mural project will implement faster as it requires less coordination. The Youth Outreach program will take longer to coordinate and initiate but will be better positioned for grant funding awards and other fiscal support. Bolivar will need to determine which pathway better accomplishes the short and long term goals of the community project. Nonprofit status is not required for facilitation; but it is highly advantageous to establish nonprofit status for either pathway as it will allow eligibility for grant awards and tax benefits for donors to the organization.

Singular city mural project

18. Best to establish a Community Arts Nonprofit organization for Bolivar and gain Nonprofit status
19. Feasibility and Project Proposal
20. Develop Fundraising Plan
21. Develop Community Outreach and Support Plan
22. Write for Grants and Corporate funding
23. Contact Artists, and solicit for ‘Art Donation’ proposals

24. Execution

*Community Youth & Art Outreach Program*

25. Create Nonprofit Arts Organization
26. Coordination with local High School for partnership program
27. Feasibility and Project Proposal
28. Develop Fundraising Plan
29. Develop Community Outreach and PR Plan
30. Write for Grants and Corporate funding
31. ‘Call for Artists’ similar to “solicit for ‘Art Donation’ proposals” above
32. Contact Artists, Teachers, and Muralists
33. Execution of Program

Attachments included as appendixes:112

- Example of City of Austin Art in Public Places
- Example of donation policy: statement of purpose - City of Austin
- Application form for art ‘donation’ – City of Austin & Insurance requirements (works comp and liability)

*Artists identified with mural experience*

Muralists in the Galveston/ Houston Area,113 TX

- Kermit Eisenhut, Houston, Tx. Well known for his community philanthropy, this Texas artist creates canvas paintings, designs greeting cards, paints furniture and plates and has been commissioned to paint murals in private residences and public spaces. He is a member of the Western-Heritage Committee for the Houston Livestock Show & Rodeo and painted mustang horses for the 2008 event. To celebrate the rodeo’s anniversary year in 2007, he painted its logo on a 6’ fiberglass cowboy boot which was used as the branding symbol. Also in 2007, Kermit’s entry for the Art Car Parade benefited Big Brothers/Big Sisters for sponsor SweetLeaf Iced Teas based in Austin. Kermit was one of 10 U.S artists to be selected as one of 75 U.S. celebrities to paint a 6’ replica of “Mickey Mouse” that was auctioned at Sotheby’s for charity. For the City of Houston, Kermit painted 9 boots for office of Special Events and for the Fort Worth Junior League, he painted 5 boots. His previous work included fourteen entries for the Houston Cow Parade and he painted a Pegasus for the Dallas Art Council. He was commissioned to paint three canvases for a hospital in Monterrey, Mexico and showed at Stone Gallery in Dallas. He sits on the Advisory Board of the “Pink Ribbons Project,” on the Honorary Board of SNAP, and works with Big Brothers/Big Sisters. Kermit was commissioned to paint a mural at the Louisiana Street SPARK park at the Scholar’s School, and was named Texas Children’s Hospital artist of the year in 2002 for “Making A Mark” and was named one of the 100 Texas-wide artists nominated for the last round of judging for

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112 [http://www.ci.austin.tx.us/aipp/about.htm](http://www.ci.austin.tx.us/aipp/about.htm)
113 [Find a Muralist.com](http://www.findamuralist.com/Texas/muralist-murals.php)
the 2007 Hunting Art Prize and he teaches at the Art League of Houston. He also participates in career days at HISD.

**Contact Information:**
- [http://www.kermitart.com/contactPage.htm](http://www.kermitart.com/contactPage.htm)
- (713) 650-8451

- **Skeezer Stinkfist**[^1], Houston, TX. Artist of *Skeez 181* portfolio of many city outdoor murals. His style is very urban and contemporary. Urban, religious, corporate, and nature themes run through his works.
  **Contact Information:**
  - [http://web.mac.com/skeez181/skeez_181/commission/Pages/commissioned_works_2.htm](http://web.mac.com/skeez181/skeez_181/commission/Pages/commissioned_works_2.htm)
  - (281) 795-7397

- **Shannon Couch**[^2], Houston, TX. Founder of Mural Marvels, she paints murals in homes and businesses. Her art career began in 1995 and has evolved over time. She taught art at public school for eight years before deciding to start her own mural business. Shannon received her art education from Stephen F. Austin State University. To develop her formal training, she studied printmaking, painting, drawing and ceramics.
  **Contact Information:**
  - [http://www.muralmarvels.com/about.html](http://www.muralmarvels.com/about.html)
  - (713) 377-8709

- **Beverly Ruiz**[^3], Artist and Owner of Ruiz Studios, Houston, TX. Murals, Trompe L’oeils and multiple decorate finishes are produced for her clients. Also painted an aquatic mural for a private school.
  **Contact Information:**
  - [http://www.ruizstudios.com](http://www.ruizstudios.com)
  - (979) 877-0079

- **John Knotts Gallery**, Multiple locations, TX. Owner, lead artist, and project manager at Knotts Mural Studio. Knotts has a Bachelor of Fine Arts from Sam Houston State University and twenty five years of experience in mural design and production. Knotts specializes in commercial murals for restaurants, movie theaters, hotels, hospitals and Public Art Projects for municipal facilities, parks and airports. Outdoor murals are painted on plaster which is applied shortly before the mural is to be painted.
  **Contact Information:**
  - (936) 291-0992

**Muralists from Cuba Route 66 Mural City, MO**

- **Kelly Poling** of Chillicothe, MO is an experienced outdoor muralist, but he is also known for a variety of techniques. He owns a frame shop and gallery in Chillicothe, MO.

• Shelly Smith Steiger is a 1986 graduate of Crawford County R-II School in Cuba. She attended Mineral Area College with an emphasis in commercial art. She also attended the University of the Ozarks in Clarksville, Arkansas, where she majored in Art Education. Shelly specialized in residential custom art projects in Arkansas and Missouri.

• Don Gray of California painted the Civil War murals in CUBA route 66. He has experience as a painter, muralist, illustrator, teacher, and has been involved in many public art projects.

Project Costs

Bolivar would ideally pair with artists in close proximity on a voluntary community outreach basis. In the event volunteer artist is not available the following guide is presented as reference:

Paying artists for mural development varies greatly depending on the circumstances. Murals require a tremendous amount of time for research and design, planning, and painting. Small projects by local artists average a few thousand dollars. A large scale project by a nationally known artist for a large city or major corporation can cost over $100,000. Most projects fall somewhere into the lower-middle range.\(^{117}\)

Different artists work at different speeds and some paint faster than others. But speed or slowness is not indicative of either quality or efficiency. A general range is $10.00-$20.00 per square foot, plus travel, lodging and equipment expenses if it is necessary to travel to and live in the community while painting the mural. Larger murals can be done for less per square foot. An estimated $7,000-$15,000 in funding will secure the services of many experienced mural artists if the project is of moderate size.\(^{118}\)

Appropriate Themes for Murals

Each community has its own particular history, citizens, and cultural values. Anything that is of importance to the community can make a good theme for a mural. Historical themes are the most popular and accessible, and different artists have different ways of approaching each theme. The committee can select which approach or approaches they like best, and then work with the artist during the development phase.

A mural project provides an opportunity for a community to see itself through the eyes of artists who can depict for people their community in a new light and in a fresh way. It is important to give artists input into the process once they are selected and not restrict them by being too specific about subject matter and content. Selection of an artist should be through a proposal based process based on general guidelines and community input.\(^{119}\) After selection the


community committee should continue to work with the artist to improve or refine the proposal as necessary.

Raising Capital for the Mural

Different cities implement several different ways of raising money for mural projects. Grants (or series of grants) from government and foundation sources can be obtained to fund a project. Corporate sponsors are often a good source of support, particularly local corporations whose success involves goodwill in the community and who have a history of sponsoring community events. Several communities have raised money by producing and selling limited edition prints of the artist's renderings of their mural designs, numbered and signed by the artist, to local collectors and supporters as a way of funding each mural. Private donors and community boosters will also make donations (especially if the organization is a nonprofit and they can write-off their donation on their taxes). One community made it possible for citizens to add an extra dollar to their monthly utility bill, and that money went to the mural project. Most projects use a combination of the sources mentioned above.  

Funding sources for mural project/program

Grant & Funding sources - many may require a match of funds (Please contact the individual agencies for specific requirements):

- **U.S. Dept. of Housing and Urban Development**- Community Block Grant program administered by the county.
- **Texas Commission on the Arts** - An excellent resource for funding and grant opportunities, with listings for workshops and classes geared to artists, and general news on the arts in Texas. [www.arts.state.tx.us](http://www.arts.state.tx.us)
- **Non-Profit Resource Center of Texas** - The real power of the Nonprofit Resource Center is in the services which they offer to all nonprofit & philanthropic organizations and the people who staff and support those organizations. From consulting to workshops to fundraising, the Center stands ready to assist with all aspects of nonprofit business. [www.nprc.org](http://www.nprc.org)
- **National Endowment for the Arts** - The Arts Endowment makes direct awards to individuals only through its Literature Fellowships, NEA Jazz Masters Fellowships, and NEA National Heritage Fellowships in the Folk & Traditional Arts. Grants in the visual arts support projects undertaken by organizations that encourage individual artistic development, experimentation, and dialogue between artists and the public through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs. Grant opportunities are listed at [www.grants.gov](http://www.grants.gov)
- **New York Foundation for the Arts** - NYFA is the most extensive national directory of awards, services, and publications for artists. Listings include over 4,200 arts

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organizations, 2,900 award programs, 4,200 service programs, and 900 publications for individual artists across the country. More programs are added every day. www.nyfa.org

- Texas Commission on the Arts www.arts.state.tx.us
- AFTA Public Art Network
- *Americans for the Arts’* Public Art Network (PAN) develops professional services for the broad array of individuals and organizations engaged in the expanding field of public art. More than 300 public art programs exist in the United States at both the state and local level. PAN connects the field by stimulating dialogue, discussing critical issues, and providing information through the website and the PAN listserv. Communicate with colleagues via the PAN listserv. Open to all Americans for the Arts members, the PAN listserv links public art administrators, artists, design professionals, planners, consultants, and arts organizations and communities planning public art projects.

- *City Without Walls* Program in Newark, NJ121 funded in part by:
  - Geraldine R. Dodge Foundation www.americansforthearts.org/PAN
  - Forecast Public Art Review www.forecastart.org
  - Social and Public Art Resource Center www.creativetime.org
  - Art and Community Landscapes www.nefa.org 27
  - Public Art Fund www.publicartfund.org
  - Regional Arts and Culture Council www.racc.org
  - Funders for *City Without Walls*
  - Horizon Foundation for New Jersey
  - Independence Community Foundation
  - JPMorganChase
  - New Jersey State Council on the Arts
  - Port Authority of NY/NJ
  - Prudential Foundation
  - Riverfront Corporation
  - U.S. Dept. of Housing and Urban Development: Community Block Grant program
  - Puffin Foundation

- In-Kind Funders
  - ArtistRun
  - Crawford Street Partners
  - JGW INcounsel
  - Lowenstein Sandler PC
  - Bud McNichol
  - New Jersey Volunteer Lawyers for the Arts
  - Nonprofit Finance Fund
  - Partnership in Philanthropy

121 cWOW art mural youth community project.  http://cwow.org/
Development Plan 7: Outdoor Theatre Program for Community Festivals

Background

Bolivar’s beautiful coast line and moderate weather naturally lends itself to outdoor activities. The Bolivar Blueprint illustrates the community’s desire for family friendly programming and tourist activities. For these reasons a drive-in movie theatre was requested for community consideration. There are only thirteen family friendly drive-in movie theatres currently operating in the state of Texas. Drive-in theaters can be a unique, family oriented tourist destination for the community.

Although the return on investment and sunk costs to develop a full drive-in movie theatre is impractical for Bolivar at this time; the community has decided to pilot outdoor theatre programming through conceptual integration into the annual festival programming. Implementation plans and copyright laws were requested by the community.

Copy Write Laws

The Federal Copyright Act (Title 17, United States code, Public Law 94-553, 90 Stat. 2541) governs how copyrighted materials, such as movies, may be utilized publicly. Neither the rental nor the purchase or lending of a videocassette or DVD carries with it the right to exhibit such a movie publicly outside the home, unless the site where the video is used is properly licensed for copyright compliant exhibition.

This legal copyright compliance requirement applies to parks and recreation departments, colleges, universities, public schools, day care facilities, summer camps, churches, private clubs, prisons, lodges, businesses, etc. regardless of whether admission is charged, whether the institution is commercial or non-profit or whether a federal, state or local agencies are involved.

The movie studios who own copyrights, and their agents, are the only parties who are authorized to license sites such as parks and recreation departments, businesses, museums, etc. No other group or person has the right to exhibit or license exhibitions of copyrighted movies.

Furthermore, copyrighted movies borrowed from other sources such as public libraries, college, personal collections, etc. cannot be used legally for showing in colleges or universities or in any other site which is not properly licensed.

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Unauthorized Public Exhibition of Movies

The concept of “public performance” is central to copyright and is the main issue of protection for these intellectual properties. Most of the persons participating in movie productions depend upon royalties for a major portion of their payment for work performed. Consequently, if their intellectual creations are being used by others who are not paying compensation (royalty) for the use, copyright law may need to be enforced.125

It is recommended Bolivar function within all copyright laws. Options for Bolivar’s consideration include obtaining a Public License to show movies during festival events or contracting with an outsource company to facilitate movies at events. It is recommended Bolivar consult with legal counsel concerning alternative actions.

Obtaining a Public License

Obtaining a public performance license is relatively easy. Licensing companies determine fees by such factors as the number of times a particular movie is going to be shown, how large the audience will be and so forth. Most licensing fees are based on a particular performance or set of performances for specified films. The major firms that handle these licenses include:

- Swank Motion Pictures (parks and recreation movies):
  http://parks.swank.com/index.html
  (800) 876-5577
- Criterion Pictures:
  http://www.criterionpicusa.com
  (800) 890-9494

Note: Criterion Pictures and Swank Motion Pictures are not competitors, but represent different studios.

If Bolivar would like to obtain a yearlong site license to play outdoor movies at all community events then The Motion Picture Licensing Corporation (MPLC) may be a better option. MPLC is developed for organizations with members (Camps, YMCA, HOA’s).

- Motion Picture Licensing Corporation (MPLC)
  http://www.mplc.com (800) 462-8855

Full Service Production Companies for hire

Full service outdoor movie cinema event production companies are available for Bolivar to contract out equipment, copyright, and liability for special events. Outsourcing guarantees Bolivar a professional venue with no sunk costs or long-term storage costs.

- Southern Outdoor Cinema, LLC
  http://www.southernoutdoorcinema.com/about.htm
  (678) 689-8143

Self Implementation by Bolivar

Self Implementation for outdoor festival productions will include the following resources:

- License or copyright permission to show & movie selected
- Video Source
- Video Projector
- Screen
- Sound equipment
- Electric & sound cables
- Optional- storage locker for video equipment and screen

Instruction, software resources, and building instructions for each above listed area are included below courtesy of "Backyard Theatre.com"126.

1. Video source

A laptop computer is an excellent signal source, since it can play DVDs, CDs, stored media, slideshow presentations, etc. (with the right drive type, of course). You don't have to have a state-of-the-art laptop for this purpose, so if you don't have one, you can find an older model with a DVD drive and it will suit your purposes fine. The free program VLC media player (http://www.videolan.org/) allows you to take multiple source formats and merge them into a single show with previews, cartoons and the main feature. There are many portable DVD players on the market now, designed for people who can't travel without their DVDs, with built-in screens. A screen is a big advantage for putting on a "professional" show; since it lets you blank the projector and navigate menus on the built-in monitor without showing them on-screen. Many are available in the $75-100 range. Home DVD players in the lowest price range have fallen below $50. There's a small progressive scan player available at the big-box discount stores for only $30. These are no-frills players, but many have progressive-scan output for better picture quality, even though they lack some of the "bells and whistles". You should be able to find a good DVD player for well under $100. Look for one that plays a variety of source formats: DVD, VCD, MPEG, or Divx.

2. Video Projector

126 backyard theatre.com: http://backyardtheater.com
The cheapest models these days seem to be “business-class” LCD projectors. “Business class” generally means that a projector is designed to be used in different conditions than a home theater projector: it can be used in bright rooms; it will usually be used to show computer presentations. Bright rooms call for projectors that are relatively bright, but don’t have to have high contrast ratios. Computer inputs usually mean a 4:3 aspect ratio and resolution of 800x600 or 768x1024.

So, a typical business-class projector would project 1500 lumens at 800x600 pixels, with a contrast ratio of only 500. Business-class projectors can be found on every street corner for between $500-1000. There are now DLP projectors available for under $1000, too. They generally have better brightness and contrast specs than LCD machines. There is a good Buyer's Guide available at ProjectorCentral.com that will help you find a model with the right features and price for you: http://www.projectorcentral.com/buyers_guide.cfm you find anything that is around $250-300, it must (a) be able to handle hdtv/anamorphic and (b) lamp life is stated around min 2000/3000hrs. How will you know, use this website and use the SEARCH Feature to find the projector in question http://www.projectorcentral.com/home.cfm. As to older projectors (5yrs and older), typically new lamps for them are very expensive- at least $450 or more. Again, there are a couple of resources to fall on, the key being that the old burned out lamp is still in place and not thrown away.

3. Screen
First calculate the projection distance needed at http://www.projectorcentral.com/projection-calculator-pro.cfm Victor D suggests 8-12 feet width for a small area, 10-16 feet width for a medium area and 20 feet or larger for a large area. Depending on picture quality desired and the location’s pre-existing attributes, the following suggestions for screen options are available: Smooth White Wall (lap siding or brick are not optional projection surfaces Cardboard or Fiberboard screen (must be finished and painted before use, not good for repeated use or bad weather conditions Bed sheets (must be light in color) cheap, durable, suited for back projection, and widely available. However not professional looking, limited sizes available, and not great in bad weather conditions or wind. Tarps (similar to bed sheet pros) comes in many sizes, should avoid plastic backed paper tarps and plastic tarps for best picture quality. Better for bad weather than sheets, but wind still a problem Dazian Stretch Fabric (similar to bed sheets) comes in many sizes, the heaviest weight is optimal for front projection. Easy to store, not widely available in all areas. Blockout cloth (similar to bed sheet) light control through cloth is optimal for front projection. Cheap cloth available at most fabric stores, widths standard 54 inches so wider screens will require sewing. Not great in bad weather conditions or wind. Plywood used for permanent installation but used for portable projects as well. Widely available, flat, durable, requires painting in light color. Cons include expensive material, heavy and bulky to store, cumbersome construction and support structures needed. Inflatable- screens priced under $200 makes them affordable for the backyard hobbyist, too. Pros: very fast setup and breakdown, simplicity (no construction needed), price. Cons: fans can be too noisy for some situations Vinyl sign material- vinyl screens made by sign shops. In many ways, this material is ideal, since the requirements for large signs are very similar to those for large
movie screens. Sign shops can put grommets in the screen, with tough reinforcement, and
the material is very durable. But if you work it right, you might be able to get a billboard-
sized piece of vinyl free. Of course, it will have an ad for something like an ambulance-
chasing lawyer on the back, but that's not the side you care about! Wal-Mart has a 12foot
inflatable screen for about $190.00 on line.

4. Sound system
Old stereo amplifiers or Floor-standing speakers work well outside if in good condition.
Computer speaker sets will work with very small outdoor audiences. Premium Boom
Boxes (Bose, Cambridge) have sound capacity for some smaller outdoor spaces. HTIB
“Home Theatre in a Box” sets come with speaker surround sound and DVD player all in
one set.

5. Optional Equipment
Storage box- to project equipment between uses. Wiring Management- to maintain
quality of operation and for safety. Cheapest version is to take a standard garden hose,
split down the side, and use to hold your electrical cables safe from being tangled in feet
and dry. The hose can be ‘snaked’ together with the cables for storage. Power source-
either a safe plug in from the city, or a portable unit. Be sure the source is secure for
operation, surge protected, and cables are safe for viewers.
Development Plan 8: Festival Sponsorship and Funding Sources

**Background**

Bolivar’s Chamber of Commerce recently designated a new committee chartered with facilitating community wide festivals that engage the community and increase tourism during the fall and summer seasons.

Festivals bring tourism revenue into the city and seasonal job creation for the local population. Events can empower communities with a celebrated cultural identity and educational programming for community children are often incorporated into festival events.

Bolivar Blue Print requested listings of possible sponsorship and funding sources for their current recurring festivals. The chart below is based off aggregate funding sources from similar communities and festivals throughout America.

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<td>GIS Lounge</td>
<td><a href="http://gislounge.com/">http://gislounge.com/</a></td>
<td>PO Box 74067 Los Angeles, CA 90004</td>
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<td>703-841-5300</td>
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<td>ZEISS</td>
<td><a href="http://www.zeiss.com/SPORTS">http://www.zeiss.com/SPORTS</a></td>
<td>763-533-0219</td>
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<td>Victor Emanuel nature tours</td>
<td><a href="http://www.ventbird.com/">http://www.ventbird.com/</a></td>
<td>800-328-8368</td>
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<td>Buckrun Outdoor</td>
<td><a href="http://www.buckrunoutdoors.com/about.html">http://www.buckrunoutdoors.com/about.html</a></td>
<td>970-744-2079</td>
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<td>Texas Shore and Beach Preservation Association (created by TAMUG)</td>
<td><a href="http://www.texasasbpa.org/">http://www.texasasbpa.org/</a></td>
<td>(409) 737-5768</td>
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<td>Center for Texas Beaches &amp; Shores (TAMUG)</td>
<td><a href="http://www.tamug.edu/ctbs/">http://www.tamug.edu/ctbs/</a></td>
<td>(409) 741-4076</td>
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<td>Coast &amp; Harbor Engineering</td>
<td><a href="http://www.coastharboreng.com/">http://www.coastharboreng.com/</a></td>
<td>512.342.9705</td>
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<td>Dannenbaum Engineering corporation</td>
<td><a href="http://www.dannenbaum.com/">http://www.dannenbaum.com/</a></td>
<td>713 520-9570</td>
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<td>Coastal Tech Coastal Technology Corporation</td>
<td><a href="http://www.coastaltechcorp.com/">http://www.coastaltechcorp.com/</a></td>
<td>2835 Dominique Drive Galveston, TX 77551 Phone: 409-744-5153</td>
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<td>National Ocean Economics Program (NOEP)</td>
<td><a href="http://www.oceaneconomics.org/National">http://www.oceaneconomics.org/National</a> Report/</td>
<td>Dr. Judith Kildow 831-402-5153(m)</td>
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<td>PBS&amp;J</td>
<td><a href="http://www.pbsj.com/Pages/default.aspx">http://www.pbsj.com/Pages/default.aspx</a></td>
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<td><strong>CocaCola</strong></td>
<td><a href="http://www.thecocacolacompany.com/contactus/index.html">http://www.thecocacolacompany.com/contactus/index.html</a></td>
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**FeatherFest Festival & Bird Watching**

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| <strong>Facebook</strong> | <a href="http://www.facebook.com/facebook?ref=pf">http://www.facebook.com/facebook?ref=pf</a> | CA: 650-543-4800 |
| <strong>GIS Lounge</strong> | <a href="http://gislounge.com/">http://gislounge.com/</a> | PO Box 74067 Los Angeles, CA 90004 |
| <strong>ESRI- GIS software</strong> | <a href="http://www.esri.com/about-esri/contact.html">http://www.esri.com/about-esri/contact.html</a> | 210-499-1044 |
| <strong>Montana Outdoors- magazine</strong> | <a href="http://fwp.mt.gov/mtoutdoors/">http://fwp.mt.gov/mtoutdoors/</a> | 406-495-3257 |
| <strong>Bird Watchers Digest.com</strong> | <a href="http://www.birdwatchersdigest.com/site/index.aspx">http://www.birdwatchersdigest.com/site/index.aspx</a> | 740-373-5285 |
| <strong>Birder’s world magazine</strong> | <a href="http://www.birdersworld.com/">http://www.birdersworld.com/</a> | Na |
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<td>Veterans Associations (if discount to Vets)</td>
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<tr>
<td>Local yachts and boat repair stores</td>
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<td>Local Pharmacy</td>
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<td>Local hotels</td>
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<td>Local News Paper</td>
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<tr>
<td>Local Ferry Line &amp; Piers</td>
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<td>Local Insurance company</td>
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<tr>
<td>Wal-Mart</td>
<td><a href="http://walmartstores.com/7663.aspx">http://walmartstores.com/7663.aspx</a></td>
<td>Media relations-800-331-0085</td>
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<td>State Lottery (Florida hosts one)</td>
<td><a href="http://www.txlottery.org/export/sites/default/index.html">http://www.txlottery.org/export/sites/default/index.html</a></td>
<td>512-344-5000</td>
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<td>River Adventures- boat tours</td>
<td>City specific</td>
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<td>Budweiser</td>
<td><a href="http://budweiser.com/default.aspx#index">http://budweiser.com/default.aspx#index</a></td>
<td>800-342-5283</td>
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<tr>
<td>MillerLite</td>
<td><a href="http://www.buckdistributing.com/">http://www.buckdistributing.com/</a></td>
<td>301-952-0400</td>
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<thead>
<tr>
<th>Pirate Festival</th>
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<tr>
<td>Twitter</td>
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<td>Google- talk like a Pirate Day</td>
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<td>Pirate’s Cove- swords &amp; pistols</td>
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<td>Piratemod- clothing store</td>
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<td>Vallejo Music Theatre- community theatre</td>
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<td>Lagunitas- crewing company</td>
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<td>Matrix – event group</td>
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<td>BayAreaParent - magazine</td>
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<td>Local RV Parks</td>
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<td>World Adventures</td>
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<td>Moms like me.com – mother meeting blog</td>
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<td>Dress Like a Pirate.com – costume shop</td>
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<td>GIS Lounge</td>
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<td>ESRI- GIS software</td>
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