

The Board of Trustees of the Galveston Wharves

**A Component Unit of the City of
Galveston, Texas**

**Compliance Report –
Federal and State Awards**

Year Ended December 31, 2022



The Board of Trustees of the Galveston Wharves

Year Ended December 31, 2022

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The Board of Trustees of the Galveston Wharves
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2022

Federal Grantor/Pass-Through Grantor/Program Title	Federal Assistance Listing Number	Pass-Through Entity Identifying Number	Pass-Through to Subrecipient	Expenditures
U.S. Department of Homeland Security				
Direct programs				
Port Security Grant Program	97.056	EMW-2019-PU-00231-S01	\$ -	\$ 51,500
Port Security Grant Program	97.056	EMW-2019-PU-00231-S02	-	590,944
Port Security Grant Program	97.056	EMW-2020-PU-00396-S01	-	234,028
Total direct programs			-	876,472
Passed through Governor's Division of Emergency Management				
Disaster Grants – Public Assistance (Presidentially Declared Disasters)	97.036	Grant #4332, Project F#1382	-	(62,861)
Total passed through Governor's Division of Emergency Management			-	(62,861)
Total U.S. Department of Homeland Security			-	813,611
Total Expenditures of Federal Awards			\$ -	\$ 813,611

The Board of Trustees of the Galveston Wharves
Schedule of Expenditures of State Awards
Year Ended December 31, 2022

State Grantor/Pass-through Grantor/Program Title/Pass-through Grantor's Award Number	State Identifying Number	Expenditures
Texas Department of Transportation		
Direct Program		
Texas Mobility Fund Grant – Rider 38	0912-73-217	\$ 3,625,980
Total Texas Department of Transportation		<u>3,625,980</u>
Texas Comptroller of Public Accounts		
Direct Program		
LEOSE – Law Enforcement Officer Standards and Education	17410757524-003	<u>1,369</u>
Total Texas Comptroller of Public Accounts		<u>1,369</u>
Texas Commission on Environmental Quality		
Direct Program		
Texas Volkswagen Environmental Mitigation Program (TxVEMP)		<u>35,000</u>
Total Texas Commission on Environmental Quality		<u>35,000</u>
Total Expenditures of State Awards		<u><u>\$ 3,662,349</u></u>

The Board of Trustees of the Galveston Wharves
Notes to Schedule of Expenditures of Federal Awards and
Schedule of Expenditures of State Awards
Year Ended December 31, 2022

Note 1: Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards and Schedule of Expenditures of State Awards (the Schedules) include the federal and state awards activity of the Board of Trustees of Galveston Wharves (the Port) under programs of the federal and state government for the year ended December 31, 2022. The information in these Schedules are presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the Texas Comptroller of Public Accounts, *State of Texas Uniform Grant Management Standards*, which includes the State of Texas Single Audit Circular (UGMS). Because the Schedules present only a selected portion of the operations of the Port, they are not intended to and do not present the financial position, changes in net position, or cash flows of the Port.

Note 2: Summary of Significant Accounting Policies

Expenditures reported on the Schedules are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance and UGMS, wherein certain type of expenditures are not allowable or are limited as to reimbursement.

Note 3: Indirect Cost Rate

The Port has elected not to use the 10 percent de minimis indirect cost rate, as allowed under the Uniform Guidance. In accordance with the UGMS, the Port did not apply or use the indirect cost rate as defined by the UGMS.

Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards

Independent Auditor's Report

Board of Trustees
The Board of Trustees of the Galveston Wharves
Galveston, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the business-type activities and fiduciary activities of The Board of Trustees of the Galveston Wharves (the Port), a component unit of the City of Galveston, as of and for the year ended December 31, 2022 and the related notes to the financial statements, which collectively comprise the basic financial statements, and have issued our report thereon dated May 31, 2023, which included an "Emphasis of Matter" paragraph for the adoption of a new accounting standard.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Port's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Port's internal control. Accordingly, we do not express an opinion on the effectiveness of the Port's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Board of Trustees
The Board of Trustees of the Galveston Wharves

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Port's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

FORVIS, LLP

Houston, Texas
May 31, 2023



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**Report on Compliance for Each Major Federal and State Program;
Report on Internal Control over Compliance; Report on
Schedule of Expenditures of Federal Awards Required by the
Uniform Guidance; and Report on Schedule of Expenditures of
State Awards Required by the Uniform Grant Management Standards**

Independent Auditor's Report

Board of Trustees
The Board of Trustees of the Galveston Wharves
Galveston, Texas

Report on Compliance for Each Major Federal and State Program

Opinion on Each Major Federal and State Program

We have audited The Board of Trustees of the Galveston Wharves' (the Port) compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement and State of Texas Single Audit Circular* that could have a direct and material effect on each of the Port's major federal and state programs for the year ended December 31, 2022. The Port's major federal and state programs are identified in the "Summary of Auditor's Results" section of the accompanying schedule of findings and questioned costs.

In our opinion, the Port complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal and state programs for the year ended December 31, 2022.

Basis for Opinion on Each Major Federal and State Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*); the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance); and the Texas Comptroller of Public Accounts, *State of Texas Uniform Grant Management Standards*, which includes the State of Texas Single Audit Circular (UGMS). Our responsibilities under those standards, the Uniform Guidance, and the UGMS are further described in the "Auditor's Responsibilities for the Audit of Compliance" section of our report.

We are required to be independent of the Port and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal and state program. Our audit does not provide a legal determination of the Port's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the Port's federal and state programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the Port's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, the Uniform Guidance, and the UGMS will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the Port's compliance with the requirements of each major federal and state program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, the Uniform Guidance, and the UGMS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the Port's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Port's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance and UGMS, but not for the purpose of expressing an opinion on the effectiveness of the Port's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal and state program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal and state program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal and state program that is less severe than

Board of Trustees
The Board of Trustees of the Galveston Wharves

a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the “Auditor’s Responsibilities for the Audit of Compliance” section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit, we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance and Schedule of Expenditures of State Awards Required by the UGMS

We have audited the financial statements of the business-type activities and the fiduciary activities of the Port as of and for the years ended December 31, 2022 and 2021 and the related notes to the financial statements, which collectively comprise the Port’s basic financial statements. We have issued our report thereon dated May 31, 2023, which contained unmodified opinions on those financial statements. Our audits were performed for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements as a whole. The accompanying schedule of expenditures of federal awards and schedule of expenditures of state awards are presented for purposes of additional analysis as required by the Uniform Guidance and the UGMS and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards and the schedule of expenditures of state awards are fairly stated in all material respects in relation to the basic financial statements as a whole.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and UGMS. Accordingly, this report is not suitable for any other purpose.

FORVIS, LLP

Houston, Texas
May 31, 2023

The Board of Trustees of the Galveston Wharves
Federal and State Awards
Schedule of Findings and Questioned Costs
Year Ended December 31, 2022

Section I – Summary of Auditor’s Results

Financial Statements

1. Type of report the auditor issued on whether the financial statements audited were prepared in accordance with GAAP:

☒ Unmodified ☐ Qualified ☐ Adverse ☐ Disclaimer

2. Internal control over financial reporting:

Material weakness(es) identified? ☐ Yes ☒ No

Significant deficiency(ies) identified? ☐ Yes ☒ None Reported

Noncompliance material to the financial statements noted? ☐ Yes ☒ No

Federal and State of Texas Awards

3. Internal control over major awards programs:

Material weakness(es) identified? ☐ Yes ☒ No

Significant deficiency(ies) identified? ☐ Yes ☒ None Reported

4. Type of auditor’s report issued on compliance for major award programs:

☒ Unmodified ☐ Qualified ☐ Adverse ☐ Disclaimer

5. Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a) and State of Texas Uniform Grant Management Standards? ☐ Yes ☒ No

6. Identification of major federal and state programs:

**Federal Program –
Assistance
Listing Number**

Name of Federal Program

97.056

Port Security Grant Program

**State Program –
Identifying Number**

Name of State Program

0912-73-217

Texas Mobility Fund Grant – Rider 38

The Board of Trustees of the Galveston Wharves
Federal and State Awards
Schedule of Findings and Questioned Costs, continued
Year Ended December 31, 2022

7. Dollar threshold used to distinguish between Type A and Type B programs:

Federal	\$750,000
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State of Texas	\$750,000
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8. Auditee qualified as a low-risk auditee?

Federal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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State of Texas	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Section II – Financial Statement Findings

No matters are reportable.

Section III – Federal and State Award Findings and Questioned Costs

No matters are reportable.