

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, JUNE 3, 2020 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL
1801 9th Ave. N., Texas City, TX 77590

PLEASE NOTE:

Due to the COVID 19 Disaster and the CDC's recommendation regarding social distancing measures the City Commission will meet in person and electronically. Texas Governor Greg Abbott waived on a temporary basis certain sections of the Texas Open Meetings Act. The meeting will be audible to members of the public and allow for two-way communications for those desiring to participate.

Any person who calls in and is interested in speaking on any item on the Agenda must call the number below and sign in to the conference then wait for the Board President to request any public comments. Public comments may not apply to all items on the agenda.

Those who attend in person may sign a "Request to Address City Commission" form and give it to the City Secretary prior to the beginning of the meeting.

To join the telephone audio conference and to give public comment please use the following instructions.

(888) 475-4499 (Toll Free)

Webinar ID: 927 1853 7802

You will automatically be muted when joining the conference. To raise your hand or notify the call manager for attention, please dial *9 on your phone during the call. When appropriate the call manger will unmute your line and the system will notify you that you can now speak.

To view the web presentation or listen to audio without participating, please visit <http://commission.texascitytx.gov>

You will then be redirected to the conference and given instructions to enable viewing. We ask that if you will be joining the telephone conference to speak, please mute your computer audio. When using telephone audio with computer audio on, a feedback loop can be created causing disruptive echoing or a loud static. Disruptive audio will cause your line to be muted by the call manager.

After the meeting, a recording of this meeting's audio will be made available to the public, upon request.

All in attendance are required to remove hats and/or sunglasses (dark glasses) during meetings and to also silence all cell phones and electronic devices.

- (1) ROLL CALL
- (2) INVOCATION
- (3) REPORTS
 - (a) Community Development Quarterly Report (Code Enforcement)
- (4) PUBLIC COMMENTS
- (5) CONSENT AGENDA

- (a) Approve City Commission Minutes for May 20, 2020 meeting. (City Secretary)
- (b) Consider and take action on Resolution No. 20-044, extending the Mayor's Declaration of Disaster to June 18, 2020 (Emergency Management)
- (c) Consider and take action on Resolution No. 20-045, awarding Bid No. 2020-070 Sodium Bisulfite Annual Contract. (Public Works)
- (d) Consider and take action on Resolution No. 20-046, awarding Bid No. 2020-079 Sodium Hypochlorite Annual Contract. (Public Works)
- (e) Consider and take action on Resolution No. 20-047, approving the sale of 11 PIT properties to the TCEDC. (Community Development)
- (f) Consider and take action on Resolution No. 20-048, accepting Bid No. 2020-002 Highway 3 and 25th Avenue North. (City Secretary)
- (g) Consider and take action on Resolution No. 20-049, accepting funds from the Department of Justice for Covid 19 Response Project from BJA FY 20 Coronavirus Emergency Supplemental Funding Program. (Police Department)
- (h) Consider and take action on Resolution No. 20-050, awarding Bid No. 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project. (Public Works)
- (i) Consider and take action on Resolution No. 20-051, awarding Bid No. 2020-380 Levi Fry Pedestrian Bridge Relocation Project. (Public Works)
- (j) Consider and take action on Resolution No. 20-052, approving of a Cost Sharing Agreement between Texas City, Lago Mar Development Authority, and Land Tejas. (City Engineer)
- (k) Consider and take action on Resolution No, 20-053, acknowledging the receipt of the 2019 Annual Report from the Tax Increment Reinvestment Zone Number One (TIRZ 1) Board. (City Secretary)
- (6) REGULAR ITEMS
 - (a) Consider and take action on Ordinance No. 20-23, amending the City's fiscal year 2019-20 Budget to appropriate funds for the relocation of the pedestrian bridge at Levi Fry Intermediate School. (Finance)
 - (b) Consider and take action on Ordinance No. 20-24, amending the City's fiscal year 2019-20 Budget to appropriate BJA grant funds for the purchase of personal protective equipment for the Police Department. (Finance)
- (7) MAYOR AND COMMISSIONER'S COMMENTS
- (8) ADJOURNMENT

NOTICE OF ANY SUBJECT APPEARING ON THIS AGENDA REGARDLESS OF HOW THE MATTER IS STATED MAY BE ACTED UPON BY THE CITY COMMISSION.

NOTICE: The City of Texas City will furnish free transportation to handicapped individuals via a 4-door sedan for anyone wishing to attend the City Commission meetings. Call 948-3111, City Secretary's Office before noon on Monday preceding the meeting to make arrangements.

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARDS AT CITY HALL, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS, AT A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AND ON THE CITY'S WEBSITE ON MAY 29, 2020, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

NICHOLAS J. FINAN
CITY SECRETARY

CITY COMMISSION REGULAR MTG

(5) (a)

Meeting Date: 06/03/2020

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Approve City Commission Minutes for May 20, 2020 meeting. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, MAY 20, 2020 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, MAY 20, 2020, at 5:00 P.M. in the Kenneth T. Nunn Council Room in City Hall, Texas City, Texas. A quorum having been met, the meeting was called to order at 5:03 p.m. by Mayor Matthew T. Doyle.

1. ROLL CALL

Present: Phil Roberts, Mayor Pro Tem
Bruce Clawson, Commissioner At-Large
Earl Alexander, Commissioner District 1
Abel Garza, Jr., Commissioner District 2
Dorthea Jones, Commissioner District 3
Jami Clark, Commissioner District 4

Absent: Matthew T. Doyle, Mayor

2. INVOCATION

Led By Mayor Pro Tem Phil Roberts.

3. REPORTS

a. Quarterly Investment Report

Laura Boyd, Finance Director, gave a quarterly report over the City's investments.

4. PUBLIC HEARING

a. Broad Reach Power requests to rezone from "A" (Single Family Residential) to "F" (Light Industrial) to allow for a Battery Energy Storage System (BESS). Being in Lot 2A of the Highway 146 Business Park Minor replat Number 2. Located at 505 34th Street North, Texas City, TX.

Doug Kneupper, City Engineer, recommended that the City Commission approve the request to rezone to allow for a Battery Energy Storage System (BESS).

b. Saiyad Ali requests to rezone from "A" (Single Family Residential) to "E" (General Business) to construct a gas station and convenience store. Being 0.689 acres, Lot One Lollis-Gebhart S/d. Located at 34th Street North and Loop 197 North, Texas City, TX.

Doug Kneupper, City Engineer, recommended that the City Commission approve the request to rezone to allow for a gas station and convenience store.

5. PRELIMINARY ZONING APPROVAL

- a. Consider and take action on approving the request by Broad Reach Power to rezone from "A" (Single Family Residential) to "F" (Light Industrial) to allow for a Battery Energy Storage System (BESS). Being in Lot 2A of the Highway 146 Business Park Minor replat No. 2. Located at 505 34th Street North, Texas City, TX.

Motion by Commissioner District 2 Abel Garza, Jr., Seconded by Commissioner District 4 Jami Clark

Vote: 6 - 0 CARRIED

- b. Consider and take action on approving the request by Saiyad Ali to rezone from "A" (Single Family Residential) to "E" (General Business) to construct a gas station and convenience store. Being 0.689 acres, Lot One Lollis-Gebhart S/d. Located at 34th Street North and Loop 197 North, Texas City, TX.

Motion by Commissioner At-Large Bruce Clawson, Seconded by Commissioner District 4 Jami Clark

Vote: 6 - 0 CARRIED

6. PUBLIC COMMENTS

7. CONSENT AGENDA

Motioned by Commissioner District 2 Abel Garza, Jr, seconded by Commissioner District 4 Jami Clark to approve Consent Agenda items a, b, c, and d.

- a. Approve City Commission Minutes for May 6, 2020 meeting. (City Secretary)

Vote: 6 - 0 CARRIED

- b. Consider and take action on Resolution No. 20-039, approving the purchase, delivery and installation of Playground Unit for Salvation Army Park from Playpower LT Farmington, Inc. through buyboard (contract # 592-19) – local government purchasing cooperative.

Vote: 6 - 0 CARRIED

- c. Consider and take action on Resolution No. 20-040, Designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Block Grant Disaster Recovery Program (CDBG_DR) Contract NO. 20-066-008-C043. (Emergency Management)

Vote: 6 - 0 CARRIED

- d. Consider and take action 20-041, extending the Mayor's Declaration of Disaster to June 4, 2020. (Emergency Management)

Vote: 6 - 0 CARRIED

- e. Consider and take action on Resolution No. 20-042, affirming the City's support of Marathon Petroleum Company LP (Marathon) Texas Enterprise Zone Project Application to the State of Texas.

Item pulled by Commissioner At-Large Bruce Clawson.
Bruce Clawson abstained from voting.

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 3 Dorthea Jones

Vote: 5 - 0 CARRIED

- f. Consider and take action on Resolution No. 20-043, affirming support of Marathon Petroleum Company LP, concurrent Texas Enterprise Zone Project Application to the State of Texas.

Item pulled by Commissioner At-Large Bruce Clawson.
Bruce Clawson abstained from voting.

Motion by Commissioner District 2 Abel Garza, Jr., Seconded by Commissioner District 3 Dorthea Jones

Vote: 5 - 0 CARRIED

8. REGULAR ITEMS

- a. Consider and take action on Ordinance No. 20-19, amending the City's fiscal year 2019-2020 budget to appropriate additional funds for Texas City Economic Development Corporation's business stimulus and retention grant. (Finance)

Laura Boyd, Finance Director, stated that the TCEDC board approved an additional \$20,200.00 for the grant bringing the total to \$865,200.00.

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 3 Dorthea Jones

Vote: 6 - 0 CARRIED

- b. Consider and take action on Ordinance No. 20-20, amending the City's fiscal year 2019-20 Budget to appropriate additional funds for procurement of property. (Finance)

Laura Boyd, Finance Director, stated that the City's purchase of that building will be utilized by Public Works, Engineering and Planning and Inspections department personnel.

Motion by Commissioner District 3 Dorthea Jones, Seconded by Commissioner District 2 Abel Garza, Jr.

Vote: 6 - 0 CARRIED

- c. Consider and take action on Ordinance No. 20-21, to amend the City of Texas City's fiscal year 2019-20 Budget to appropriate TCEDC funds for underground electrical and street lighting at Magnolia Avenue. (Finance)

Laura Boyd, Finance Director, stated that the TCEDC board approved funding for underground electrical and street lighting work for an estimated \$235,000.00.

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 2 Abel Garza, Jr.

Vote: 6 - 0 CARRIED

- d. Consider and take action on Ordinance No. 20-22, amending the City's fiscal year 2019-20 Budget to appropriate funds for Amburn Road landscaping project. (Finance)

Laura Boyd, Finance Director, stated that a budget amendment is needed to landscape along Amburn Road from Emmett F. Lowry to Highway 3.

Motion by Commissioner District 2 Abel Garza, Jr., Seconded by Commissioner District 4 Jami Clark

Vote: 6 - 0 CARRIED

9. ADJOURNMENT

Having no further business, Commissioner District 3 Dorthea Jones made a MOTION to ADJOURN at 6:07 p.m.; the motion was SECONDED by Commissioner At-Large Bruce Clawson. All present voted AYE. MOTION CARRIED.

MATTHEW T. DOYLE, MAYOR

ATTEST:

Nicholas J. Finan, City Secretary

CITY COMMISSION REGULAR MTG

(5) (b)

Meeting Date: 06/03/2020

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 20-044, extending the Mayor's Declaration of Disaster to June 18, 2020 (Emergency Management)

BACKGROUND

This item is a continuance from April 15, 2020, and to be reviewed every two weeks or at the next Commission meeting; whichever date is sooner.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

RESOLUTION 20-044

A RESOLUTION EXTENDING THE CONTINUING OF THE DECLARATION OF LOCAL STATE OF DISASTER FOR THE CITY OF TEXAS CITY, TEXAS

WHEREAS, the City of Texas City on March 18, 2020, took extraordinary measures resulting from Covid-19; and

WHEREAS, the Mayor of Texas City and City Commission has determined that these extraordinary measures must be taken to protect the citizens of Texas City; and

WHEREAS, the City Commission of Texas City has determined the need to extend the original declaration to June 4, 2020. Today's extension will continue until 5:00p.m June 18, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION: The City Commission of the City of Texas City, Texas pursuant to Texas Government Code Section 418.108(b) hereby consents to continuing the declaration of local state of disaster for the City of Texas City, Texas.

SECTION 2: The declaration of local state of disaster for the City of Texas City, Texas, resulting from Covid-19 is therefore continued;

SECTION 3: This declaration continuing a local state of disaster shall be effective for less than thirty (30) days on and from its date of issuance, provided however that this declaration may be terminated before the expiration of thirty days by subsequent order of the Mayor, and may be continued or renewed beyond thirty days from its date of issuance only with the consent of the City Commission of the City of Texas City, Texas;

SECTION 4: This declaration continues the activation of the City's Emergency Management Plan;

SECTION 5: This declaration continues the activation of the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plan and authorizes the furnishing of aid and assistance under the declaration:

SECTION 6: This declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary; and;

SECTION 7: That this declaration shall take effect immediately from and after its issuance.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(5) (c)

Meeting Date: 06/03/2020

2020-080 Sodium Bisulfite Annual Contract

Submitted For: Mike McKinley, Public Works

Submitted By: Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2020-070 Sodium Bisulfite Annual Contract.

BACKGROUND

On April 30, 2020 and May 7, 2020 the Notice to Bidders was published in the paper and bid packets were sent to local area vendors. Bids were opened on May 14, 2020 at 2:30 p.m..

A bid tabulation is attached for your review.

ANALYSIS

The low responsible bidder meeting all qualifications was INEOS Calibrian in Kingwood Texas.

It is the recommendation of the Public Works Department to award Bid # 2020-080 Sodium Bisulfite Annual Contract to INEOS Calibrian for the prices bid and, that the Mayor is authorized to execute a contract on behalf of the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Exhibit A
Resolution

City of Texas City

BID TABULATION

2020-080 SODIUM BISULFITE ANNUAL CONTRACT

Bid Opening: Thursday, May 14, 2018 at 2:30 p.m.

<u>BIDDER</u>	INEOS CALIBRIAN	POOLSURE AQUASOL		
Unit Price Per Dry Pound	\$0.2727	\$0.3163		
135,000 Pounds Dry Total	\$36,814.50	\$42,700.50		
Unit Price Per Wet Pound	\$0.1091	\$0.1265		
135,000 Pounds Wet Total	\$14,728.50	\$17,077.50		

RESOLUTION NO. 20-045

A RESOLUTION AWARDING BID NO. 2020-080 SODIUM BISULFITE ANNUAL CONTRACT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH INEIS CALUBRIAN AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on April 30, 2020 and May 7, 2020, the Notice to Bidders and bid packets were made available to local area vendors for Bid No. 2020-080 Sodium Bisulfite Annual Contract; and

WHEREAS, bids were opened on May 14, 2020, and it is the recommendation of the Public Works Department to award Bid No. 2020-080 to INEOS Calibrian, Kingwood, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the City Commission awards Bid No. 2020-080 Sodium Bisulfite Annual Contract to INEOS Calibrian.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with INEOS Calibrian for the unit prices bid attached hereto as **Exhibit "A"** and to approve change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(5) (d)

Meeting Date: 06/03/2020

Bid # 2020-079 Sodium Hypochlorite Annual Contract

Submitted For: Mike McKinley, Public Works **Submitted By:** Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award Bid # 2020-079 Sodium Hypochlorite Annual Contract.

BACKGROUND

On April 30, 2020 and May 7, 2020 the Notice to Bidders was published in the newspaper and bid packets were sent to local area vendors. Bids were opened on May 14, 2020 at 2:00 p.m..

A bid tabulation is attached for your review.

ANALYSIS

The low responsible bidder meeting all qualifications is DXI Industries, Inc. in Houston, Texas.

It is the recommendation of the Public Works Department to award Bid # 2020-079 Sodium Hypochlorite Solution Annual Contract to DXI Industries, Inc. and that the Mayor is authorized to execute the contract on behalf of the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Exhibit A

City of Texas City

BID TABULATION

2020-079 SODIUM HYPOCHLORITE SOLUTION

Bid Opening: Thursday, May 14, 2020 at 2:00 p.m.

<u>BIDDER</u>	DXI			
81,000 Gallons = Eighteen (18) 4,500 Truck Loads	\$.8424			
	\$68,234.40			
330 Gallons = Six (6) 55 Gallon Drums	\$126.90			
	\$761.40			

CITY COMMISSION REGULAR MTG

(5) (e)

Meeting Date: 06/03/2020

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 20-047, approving the sale of 11 PIT properties to the TCEDC. (Community Development)

BACKGROUND

These properties were purchased by the TCEDC. They are located in the IBD and cannot be used for residential or general retail purposes. The TCEDC works with the plants and other companies who can locate in the IBD to get these type of properties back on the tax rolls. Each of these properties are to be sold for \$500 each plus any post judgment taxes outstanding (roughly \$11,000 total). By Monday there should be a map showing the location of all 11 properties.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Attachment
picture

Suit	Acct No.	Jdgmt Years
16-TX-0068	132115-1735-0000-0065-001	1990-2009
13-TX-0456	182086 4417-0029-0001-000	1993-2012
05-TX-0155	182109 4417-0032-0001-000	1972, 75 & 1979-2004
08-TX-0655	220506 3205-0000-0046-000	2003-2010
16-TX-0068	223135 2435-0014-0008-000	2008-2017
14-TX-0480	224275 7030-0056-0009-000 AND 224276 7030-0056-0010-000	1994-2017
NOT TAX SALE	225021 7030-0170-0010-000	
18-TX-0254	225045 7030-0172-0005-000	2003-2018
06-TX-0829	225054 7030-0173-0001-000	1999-2006
06-TX-0156	225057 7030-0173-0007-000	1999-2010
06-TX-0156	225058 7030-0173-0009-000	1989-2010
12-TX-0937	225070 7030-0175-0006-000	1999-2012
12-TX-0937	225071 7030-0175-0008-000	1999-2012
18-TX-0319	225078 7030-0180-0009-000	2000-2018
NOT TAX SALE	225079 7030-0180-0011-000	
16-TX-0064	225081 7030-0180-0015-000	2009-2016
12-TX-0886	225084 7030-0181-0004-000 AND 225083 7030-0181-0003-000	2000-2012 2002-2012
122,578	225098 7030-0182-0004-000	1954-1995
06-TX-0905	225378 7030-0219-0013-000	1985-2005
06-TX-0893	225379 7030-0219-0014-000	1991-2010
—	225435 7030-0230-0004-000	
18-TX-0515	225437 7030-0230-0006-000	2002-2017
02-TX-0302	232564 1275-0000-0047-000	1999-2009

TCEDC Newly Acquired PIT Propertie

Address	Square Ft	Bid	Post Judgment GCTO Taxes 05-2020
214 N. Texas S. 45 of Lots 65 & 66 (65-1), Ollie Bell S/D		500	
Lot 1 & 2, Blk 29, Kohfeldts 1st Addn	12,500	500.00	231.55
1232 - 6th Ave S Lot 1, Blk 32, Kohfeldts 1st Addn	6,250	500.00	499.48
6013 Diamond Ct. Lot 46, Emerald Terrace	5,599	500.00	1,194.04
1201 1st Ave N. Lot 8, Blk 14, Chelsea Manor	7,500	500.00	696.78
Vacant lots on 400 Blk of 2nd Ave S.			19.41
Lots 9 thru 11, Blk 56, Texas City	9,375	500.00	192.16
613 1st Ave S. (MLK) Lots 10 & 11, Blk 170, Texas City	5,630	500.00	
625 2nd Ave S; Lot 5 & 7' of Lot 4, Blk 172	4,000	500.00	28.52
632 3rd Ave S Lots 1 & 2, Blk 173, Texas City	6,250	500.00	50.53
622 3rd Ave S, Lots 7 & 8, Blk 173, Texas City	6,250	500.00	70.23
614 3rd Ave S, Lots 9 thru 11, Blk 173 Texas City	9,375	500.00	104.69
614 4th Ave S Lots 6 & 7, Blk 175, Texas City	6,250	500.00	117.90
618 4th Ave S Lots 8 & 9, Blk 175, Texas City	6,250	500.00	0.00
716 2nd Ave S Lots 9 & 10, Blk 180, Texas City	6,250	500.00	44.60
712 2nd Ave S. Lot 11, Blk 180, Texas City	3,125	500.00	
112 7TH St S Lots 15 & 16, Blk 190, Texas City	6,250	500.00	309.84
			31.10
725 MLK (1st Ave S.) Lots 3 & 4 , Blk 181, Texas City	6,250	500.00	31.10
Vacant lot at 700 blk MLK (1st Ave S.) Lot 4, Blk 182, Texas C	3,125	500.00	0.00
Vacant lot at 800 blk MLK (1st Ave S) Lot 13, Blk 219, Texas City	3,125	500.00	94.88
806 MLK (1st Ave S.) Lots 14 thru 16, Blk 219, Texas City	9,375	500.00	173.84
926 2nd Ave S lot 4	3,125	500.00	0.00
920 2ND Ave S Lots 6 & 7, Blk 230, Texas City	6,250	500.00	133.31
Vacant Lot North of 222 S. Algeria Lot 46, BP&A S/D	5,580	500.00	130.33

TOTAL POST JUDGMENT TAXES DUE	3,880.52
BLUE = If paid in May 2020 GCTO & TCISD	
GREEN = If paid in June 2020 GCTO & TCISD	

Post Judgment TCISD Taxes 05-2020	Post Judgment GCTO Taxes 06-2020	Post Judgment TCISD Taxes 06-2020
236.47	232.79	237.73
0.00	501.24	0.00
1,103.57	1,199.69	1,108.80
815.34	702.24	821.71
28.84	19.57	29.05
220.91	187.58	223.53
31.97	29.03	32.53
45.40	50.72	45.58
72.17	71.56	72.52
108.10	105.18	108.60
122.14	116.58	122.81
0.00	0.00	0.00
50.00	45.40	50.89
337.50	311.97	339.94
31.24	30.77	31.40
31.24	30.77	31.40
0.00	0.00	0.00
96.03	95.23	96.38
175.80	174.66	176.64
0.00	0.00	0.00
160.80	135.55	162.53
119.88	130.92	120.42

3,475.17	3,902.76	3,497.08

SOLD 02/04/2020 Emin Duskic

DEED #2010050799 ILA-Local 1406 to City TC 10-12-2010 RES. 10-100

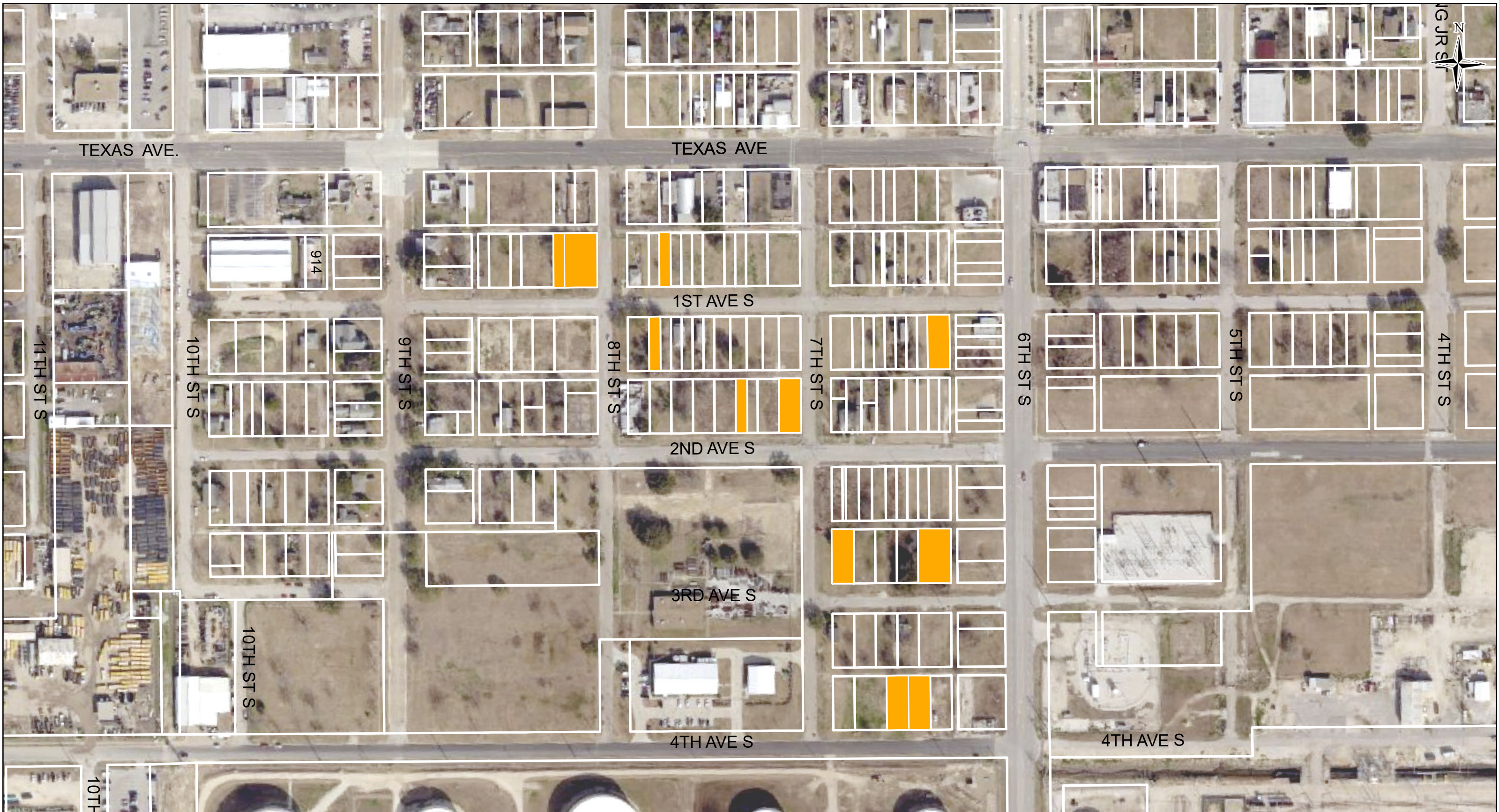
Tax Roll shows 622 -4th Ave S.

CAD shows County of Galveston, TR


See Deed #2015043022 to GC 07-08-2015 Also #2016020326 GC to TC

Deed #010-71-0981 10-30-1995 9541927 SS Deed

SOLD 03/05/2019 FELIX ALVEREZ



Proposed EDC Property Purchases

 Proposed Properties

0 175 350 700 Feet

Texas City
EST. 1911

CITY COMMISSION REGULAR MTG

(5) (f)

Meeting Date: 06/03/2020

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 20-048, accepting Bid No. 2020-002 Highway 3 and 25th Avenue North. (City Secretary)

BACKGROUND

This property was acquired by the City for a debt by the developer for infrastructure owed to the City. The City originally wanted it to be sold for retail/professional offices. After several years of only interest in a convenience store or a retail center with a convenience store with a convenience store anchor, the City staff put together covenants that required the convenience store to be a high quality attractive and safe retail activity. Additional lighting requirement, open, uncluttered windows, stone and masonry on all visible sides, additional landscaping and limited activities in addition to the gateway requirements. See the attachment for more details. The bidders were made aware of the requirements. The high bidder has done attractive convenience stores in the past. The high bid was for **\$711,786.11**. Staff recommends accepting the high bid.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Attachment

BID # 2020-02

DATE: MAY 6, 2020

NOTICE OF SEALED BID FOR SALE OF REAL PROPERTY

PROPERTY:

The Real Property commonly known as Northeast corner of Hwy 3 and 25th Avenue North (North Loop 197), Texas City, Texas consisting of approximately 2.4315 acres of land, as more particularly described in Exhibit "A" attached hereto and incorporated herein.

SEALED BIDS in envelopes marked on the outside "**BID#2020-02 - PURCHASE OF REAL PROPERTY**" will be received during regular business hours (8:00 A.M. - 5:00 P.M.) at the offices of the City Secretary, City Hall, 1801 - 9th Avenue, Texas City, Texas 77590 until 1:00 P.M., CDT Tuesday, May 26, 2020, for the sale of Property located in the City of Texas City, Texas. The minimum acceptable bid for the Property is SIX HUNDRED THOUSAND DOLLARS (\$600,000.00). The Property is located in the City of Texas City's Gateway Corridor District and subject to applicable ordinances. **BIDS WILL OPENED AND PUBLICLY READ ALOUD AT 2:00 P.M. CDT Tuesday, May 26, 2020, IN THE LOBBY OF CITY HALL. ALL BIDDERS AND INTERESTED PERSONS ARE INVITED TO THE BID OPENING.**

The sale of this Property owned by the City of Texas City is being sold pursuant to the TEX. GOV.'T CODE, § 272.001. The property is located in the City of Texas City's city limits and its Gateway Corridor District and subject to all ordinances, rules, regulations and laws of the City of Texas City and other application jurisdictions and authorities. The following provisions apply to this invitation to bid:

DISCLAIMER(S)

Proposals submitted do so entirely at their expense. There is no expressed or implied obligation by the City of Texas City to reimburse any individual or firm for any costs incurred in preparing or submitting a proposal, for providing additional information when requested by the City of Texas City, or for participating in the award process. The Bidder may be requested to submit additional information after the deadline date and time. Any requested information which is not received may be considered nonresponsive and the entire bid may be rejected.

The City of Texas City is not represented by a broker or real estate agent and no seller's fee will be paid to a broker or real estate agent. If the Bid Form designates a broker or real estate agent representing the Bidder, the City of Texas City will not pay any fee(s), any fee(s) due at closing to the Bidder's broker or real estate agent will be the responsibility of the Bidder and will be paid by the Bidder.

The land(s) and any improvement(s) described above shall herein be referred to as the "Property". The Deed, in a form approved by the City Attorney, will contain no warranties of any kind. The City will not provide a Title Policy. The Property is to be sold: a) by a Deed in a form approved by the City Attorney, b) subject to certain terms, covenants, conditions, reservations, restrictions and exceptions set forth in the authorizing City of Texas City Commission Resolution, including without limitation the following; i) any and all visible and apparent easements and encroachments, whether of record or not; ii) any and all covenants, conditions, reservations,

restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record and applicable to the Property or any part thereof; and iii) standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by the purchaser; c) subject to certain deed restrictions including but not limited to those on Exhibit "B"; and d) strictly on an "AS IS, WHERE IS, WITH ALL FAULTS" basis, to the maximum extent permitted by law.

The Property is to be sold "as is, where is, with all faults". The City of Texas City makes no representation or warranty concerning zoning, condition of title, development, or as to whether the advertised Property can be utilized for any purpose. It is the responsibility of the bidder(s) to examine all applicable building codes and ordinances to determine if the Property can be used for the purpose(s) desired. The successful bidder agrees that should any cleanup, remediation or removal of hazardous substances or other environmental conditions on or about the Property be required after the date of closing, such expenses, cleanup, removal or remediation shall not be the responsibility of the City of Texas City.

The successful bidder, including but not limited to their spouses and any other individual, their spouse, or any other party designated for conveyance of title certify that they have no outstanding City of Texas City judgments, tax delinquencies, unpaid liens, open city code violations, civil penalties or fees. The successful bidder will execute a no "Conflict of Interest" statement and execute and submit a Form 1295.

The City of Texas City disclaims responsibility as to the accuracy or completeness of any information relating to the Property for sale. The data in this newspaper advertisement is for informational purposes only. Any transaction regarding the Property is made on an "as is, where is, with all faults" basis. The City of Texas City is not responsible for any misrepresentations, failures of disclosure, errors or any negligent or wrongful acts occurring in the context of or pertaining to the closing of the Property.

Nothing in this request for sealed bids is intended to or shall have the effect of waiving any privileges or immunities afforded the City of Texas City under Texas Law, including but not limited to, sovereign immunity or official immunity and it is expressly agreed that the City reserves such privileges.

For additional information contact Rhomari Leigh at (409) 643-1916 or rleigh@texascitytx.gov.

THE CITY OF TEXAS CITY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS AND THE RIGHT TO WAIVE, DELETE OR AMEND ANY OF THE REQUIREMENTS CONNECTED WITH THIS BID.

THE MINIMUM ACCEPTABLE BID FOR THE PROPERTY IS SIX HUNDRED THOUSAND DOLLARS (\$600,000.00).

PLATTING OR RE-PLATTING OF THE PROPERTY, IF REQUIRED FOR CLOSING OR USE, SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL BIDDER.

BIDS MUST BE SUBMITTED ON THE BID FORM INCLUDED IN THIS BID PACKAGE. BID PACKAGE CONTAINS REQUIRED BID TERMS AND DESCRIPTIVE INFORMATION ABOUT THE PROPERTY. BIDS NOT MADE AS SET FORTH BY THE BID PACKAGE MAY BE DEEMED NON-RESPONSIVE AND MAY NOT BE CONSIDERED.

INSTRUCTIONS TO BIDDERS

1. Bidder agrees that if its bid for the purchase of the Property is accepted by the City of Texas City, it will enter an appropriate contract within 15 calendar days of written notice of acceptance of the bid. Bidder's failure to execute a contract within such 15-day period is deemed a default by bidder, bidder will forfeit the \$10,000 earnest money deposit discussed below, and the City of Texas City, will have no obligation to the bidder.

2. No bid will be considered which is received at any different place or after the foregoing time. Bids submitted by mail must be received within the time limits above, irrespective of the date of mailing.

3. The City of Texas City will accept bids for the purchase of the Property as described above. The City of Texas City will determine, in its sole and absolute discretion, whether to sell the Property or reject all bids.

4. A contract for the sale of the Property will be executed and signed by all parties once an award has been approved by the City of Texas City Commission.

5. Bids must be accompanied by a **money order or cashier's check** in the amount of \$10,000, payable to the City of Texas City (Cash is NOT acceptable).

6. Bids will be presented to the City of Texas City Commission for acceptance at the regular Commission meeting on June 3, 2020. Closing will occur as provided in the contract.

7. A complete bid response should include:

7.1 The Bid Form, properly completed, and

7.2 **Earnest Money, in the form of a money order or cashier's check**, in the amount set out in paragraph 5 above. (Cash is NOT acceptable).

8. Bidders may request permission to withdraw a bid prior to the actual time for bid opening. Such request must be made in person or in writing at the same location designated to receive the bid. The City will return the bid documents unopened at that time.

9. OTHER CONDITIONS OF SALE: ANY CONDITIONS DESCRIBED BELOW SHALL NOT BE TITLE EXCEPTIONS UNDER THE CONTRACT OR THE DEED:

9.1 Historic significance, if any, of the Property or any improvement on the Property.

- 9.2 Exclusions, exceptions, conditions and stipulations of record to the extent they are still in effect.
- 9.3 Any visible or apparent easement on or across the Property or any portion thereof, the existence of which is not disclosed by the records of the County Clerk of Galveston County, Texas, including, but not limited to, utility lines or facilities in place.
- 9.4 Any portion of the Property which falls within the boundaries of any road or roadway.
- 9.5 Any state of facts that an accurate and complete ALTA/ASCM Land Title Survey (with all Table A items) and/or physical inspection of the Property might disclose.
- 9.6 All zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions and other laws and regulations now in effect or hereinafter adopted by any governmental authority having jurisdiction over the Property.

OTHER INFORMATION: THE CITY OF TEXAS BELIEVES THE INFORMATION INCLUDED IN THIS BID PACKAGE IS MATERIALLY ACCURATE. HOWEVER, THE CITY OF TEXAS DOES NOT WARRANT THIS INFORMATION TO BE FREE FROM ERRORS OR OMISSIONS. BIDDERS ARE ENCOURAGED TO INSPECT THE PREMISES PRIOR TO PLACING A BID.

BID FORM FOR SALE OF PROPERTY

IMPORTANT: A bid, to be valid, must be manually signed in ink by an authorized person in the space provided. By such signature, bidder agrees to strictly abide by the terms and conditions contained in this Bid Package.

Entity, Company or Firm Name: _____

Contact Person: _____

Address: _____

Telephone #: _____

Fax #: _____

Email address: _____

Date: _____

Signature: _____

Printed Name: _____

Title: _____

BID AMOUNT FOR PURCHASE OF THE PROPERTY

_____ DOLLARS

(\$_____)(The minimum acceptable bid for the Property is SIX HUNRED THOUSAND DOLLARS (\$600,000.00).

EXHIBIT "A" – Legal Description

A FIELD NOTE DESCRIPTION of 2.4315 acres (105,917 square feet) of land in the John Sellers Survey, Abstract No. 180, Texas City, Galveston County, Texas; said 2.4315 acre tract being out of a 24.1142 acre tract of land conveyed to Castlerock Communities, L.P., as recorded in Galveston County Clerk's File No. 2012010148, and also being out of Lots 25-27, Motor Subdivision, according to the map or plat recorded in Book No. 5, Page No. 11 and Book No. 254, Page No. 110 of the Galveston County Map Records; said tract being more particularly described by metes and bounds as follows with the bearings being based on the Texas State Plane Coordinate System, South Central Zone using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 5/8-inch iron rod with cap set at the intersection of the southwest right-of-way line of State Highway No. 3 (width varies, 137 feet wide at this point), as recorded in Galveston County Clerk's File No. 2007026890 and in Volume 409, Pages 17 & 18 of the Galveston County Deed Records with the northwest right-of-way line 25th Avenue N (N. Amburn Street, 120 feet wide), as recorded in Galveston County Clerk's File No. 8648578 and according to the map or plat recorded in Book No. 254, Page 110 and in Book 5, Page 11 of the Galveston County Map Records for the east corner of this tract; from which a 5/8-inch iron rod found bears South 80° 05' 23" West - 2.39 feet;

THENCE, South 48° 54' 27" West - 325.61 feet with the northwest right-of-way line of said 25th Avenue N to a 5/8-inch iron rod with cap stamped "T.E.A.M." set at the intersection of the Northeast right-of-way line of proposed Emerald Lane (60 feet wide), with the northwest right-of-way line of said 25th Avenue N and for the south corner of this tract;

THENCE, North 41° 05' 33" West - 151.05 feet with the northeast right-of-way line of said proposed Emerald Lane to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a point-of-curvature of this tract;

THENCE, in a northwesterly direction along the northeast right-of-way line of said proposed Emerald Lane with a curve to the right having a radius of 670.00 feet, a central angle of 08° 36' 38", a length of 100.69 feet and a chord bearing North 36° 47' 14" West - 100.60 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the west corner of this tract;

THENCE, North 57° 31' 05" East - 175.00 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior corner of this tract;

THENCE, in a northwesterly direction with a curve to the right having a radius of 495.00 feet, a central angle of 16° 10' 29", a length of 139.74 feet and a chord bearing North 24° 23' 40" West - 139.28 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a point-of-compound-curvature;

THENCE, in a northwesterly direction with a curve to the left having a radius of 2,225.00 feet, a central angle of $04^{\circ} 29' 12''$, a length of 174.24 feet and a chord bearing North $18^{\circ} 33' 02''$ West - 174.19 feet to a 5/8- inch iron rod with cap stamped "T.E.A.M." set for angle point;

THENCE, North $41^{\circ} 06' 52''$ West - 56.06 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a northwest corner of this tract; THENCE, North $67^{\circ} 50' 26''$ East - 42.29 feet with a north line of said 24.1142 acre tract to a 5/8-inch iron rod with cap stamped "T.E.A.M." set in the southwest right-of-way line of said State Highway No. 3 and for the north corner of this tract;

THENCE, South $41^{\circ} 06' 52''$ East - 48.91 feet with the southwest right-of-way line of said State Highway No. 3 to a cut "x" set for an east corner of this tract;

THENCE, South $48^{\circ} 53' 08''$ West - 1.97 feet with a jog in the southwest right-of-way line of said State Highway No. 3 to a TXDOT monument disk found for an interior corner of this tract;

THENCE, South $41^{\circ} 06' 52''$ East 512.88 feet with the southwest right-of-way line of said State Highway No. 3 to the POINT OF BEGINNING and containing 2.4315 acres (105,917 square feet) of land.

Note: This metes and bounds description was written in conjunction with a survey performed on even date herewith.

COMPILED BY:
Texas Engineering And Mapping
Company Civil Engineers - Land
Surveyors
Stafford,
Texas Job
No. 772-1C


Brian Nawara

Registered Professional
Land Surveyor
State of Texas No.
6060



EXHIBIT “B” – Deed Restrictions

1. Only one drive on Hwy 3 at least 250’ north of the intersections and subject to TxDoT approval.
2. No drives/access on 25th Avenue North (North Loop 197).
3. Only one drive on Emerald Lane subject to the approval of the City of Texas City.
4. All buildings erected must have 1 ½ story elevation.
5. Masonry on all sides of any buildings with at least 40 percent non-glass space a stone surface.
6. Glass windows must be at least from 2.5’ to ceiling if in front or on side facing Hwy 3.
7. Wall space must contain at least 30 percent see-through glass on 25th Av. N. and the same for Hwy 3.
8. Windows cannot be blocked by equipment, shelving, products, walls, and counters.
9. Signage in windows can only be temporary (no more than 14 days) unless name of store, open/closed sign.
10. Any glass areas with blockage or non-see through (temporary or permanent) does not count toward 30 percent requirement above.
11. Landscaping: City of Texas City requirements will apply including provisions in the Gateway Corridor District. In addition, landscaping of all parking areas shall include and maintain a minimum 3’ hedge or shrubs on street(s) side.
12. Parking spaces must meet the City’s requirement, and parking space lines must be maintained and visible.
13. All roof top appurtenances, equipment, air conditioning units must meet the Texas City Gateway Corridor District requirements for screening, but include not only the street view, but, also, the residential view.
14. Dumpsters must be located behind the building and between the Pearl Brook residences and building and screened with masonry material that is the same as the material of the building façade.
15. Parking lot must be concrete.
16. Parking lot must be well lit with a minimum of 3 foot candles at ground level in any area of the parking area, including any parking in the rear, but not spill over into the residential area.
17. The building(s) shall maintain lighting on the all sides of the exterior during darkness.
18. Activities are limited to the City of Texas City’s O-P - Office Professional; D - Neighborhood Services District; and D-1 - Limited Services, with the exception of washaterias (Dry Cleaning services are acceptable), and automobile service stations (gasoline sales are permissible). Additional activities permitted are Convenience store services without any gaming machines or amusement arcade machines; restaurants including fast food, and indoor seating with/without alcohol sales; spas, health studios, or fitness centers; and boutique clothing stores.

EXHIBIT “C” – Additional Information

Background: The City of Texas City has owned for several years. The property is considered strategically located in a Gateway Corridor for the City of Texas City and is an area that is now a growth corridor for the City. Several new subdivisions have been platted and initiated construction. Inquiries into the area for vacant parcels are rather regular.

The particular intersection has a rail line on the east side of Hwy 3 preventing any development on the east side of Hwy 3 from having direct, adjacent access to Hwy 3 preventing any activity from developing on the northeast or southeast quadrants of the intersection with access to Hwy 3. The southwest corner has a power station at the intersection. The only developable corner is the northwest corner – the property the City of Texas City owns and is offering for bid.

Current Tax Rate: Tax rate per \$100 is \$3.746222.

School District: Dickinson ISD

Detention: No storm water detention required.

Water & Sewer: Water and sewer is available. (See below).

Drainage: Available and designed in accordance with Section 1 of Pearl Brook Subdivision.

Major Traffic Carriers: Located on Hwy 3 and 25th Ave. N. (Loop 197). The major traffic carriers near the location include FM 646, FM 2004, IH 45, SH 3, and SH 146 in a general north/south direction. The primary east/west arteries are SH 6, Texas Avenue, FM 1764 (Emmett F Lowry Expressway), 25th Avenue (Loop 197), and Hughes Road. Overall, the subject neighborhood can be considered to be readily accessible to the existing roadways in the area. Approximately 1 mile to the north of this location Central Park Blvd will come through at Marlow Lakes (planned for in the next few years as development occurs).

TxDOT Traffic Counts on Hwy 3: 6,715 average daily trips (2016)

New Development along Hwy 3 within 1 mile of location: (See below).

Pearl Brook: 350 Homes

KB Homes: 150 Homes

Marlow Lakes: 220 Homes

Kohlfeldt Property east of the Railroad from FM 1764 to north of 25th Ave.: Roughly 1,000 acres up for sale as a master planned community under contract at this time.

Survey: (See below).

Maps: Regional (Houston Area); Intersection with about a 2-mile radius (Aerial); Intersection with about a 2-mile radius (Graphic); Flood Map. (See below).

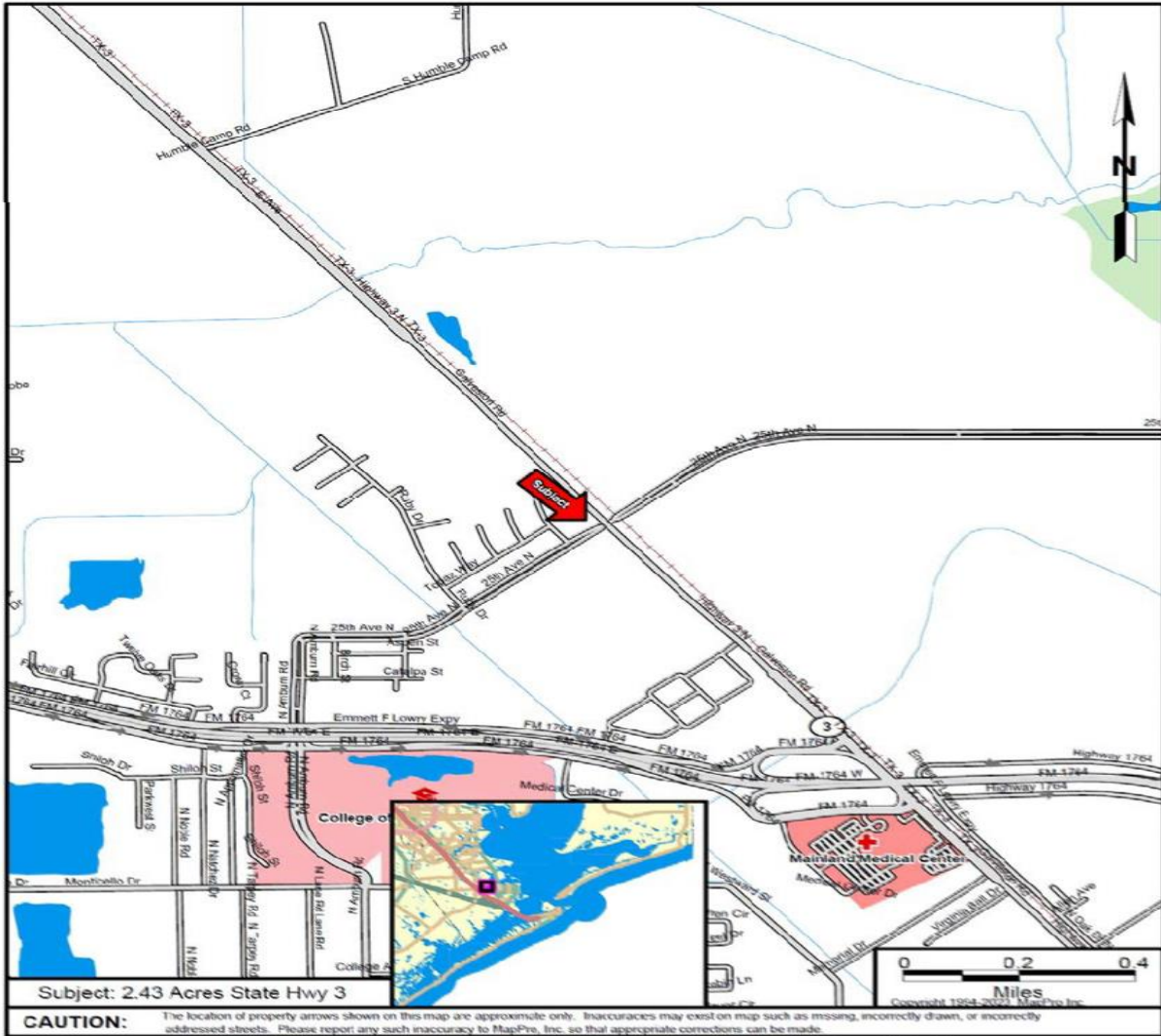
Location Houston Region



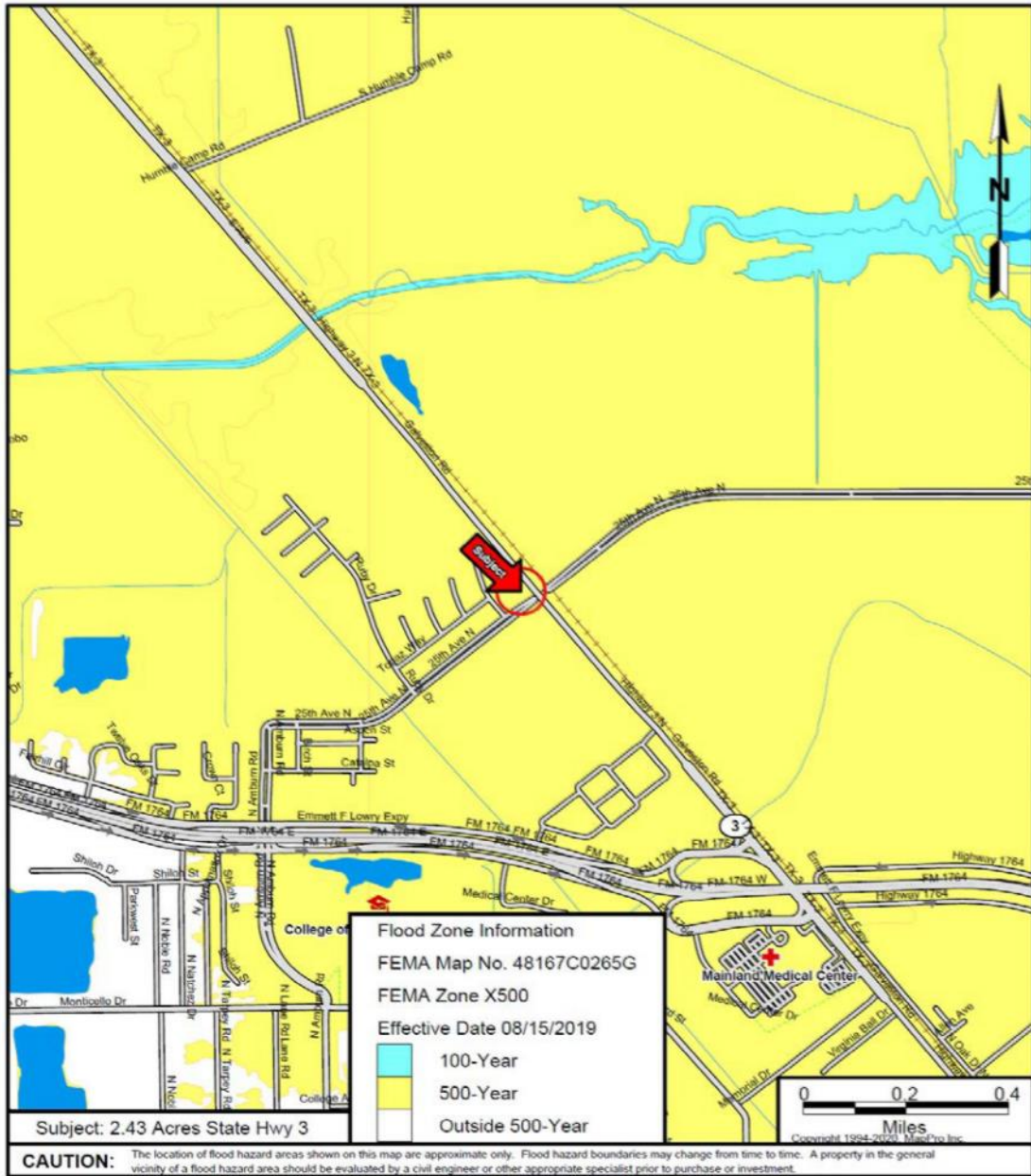
Location Aerial



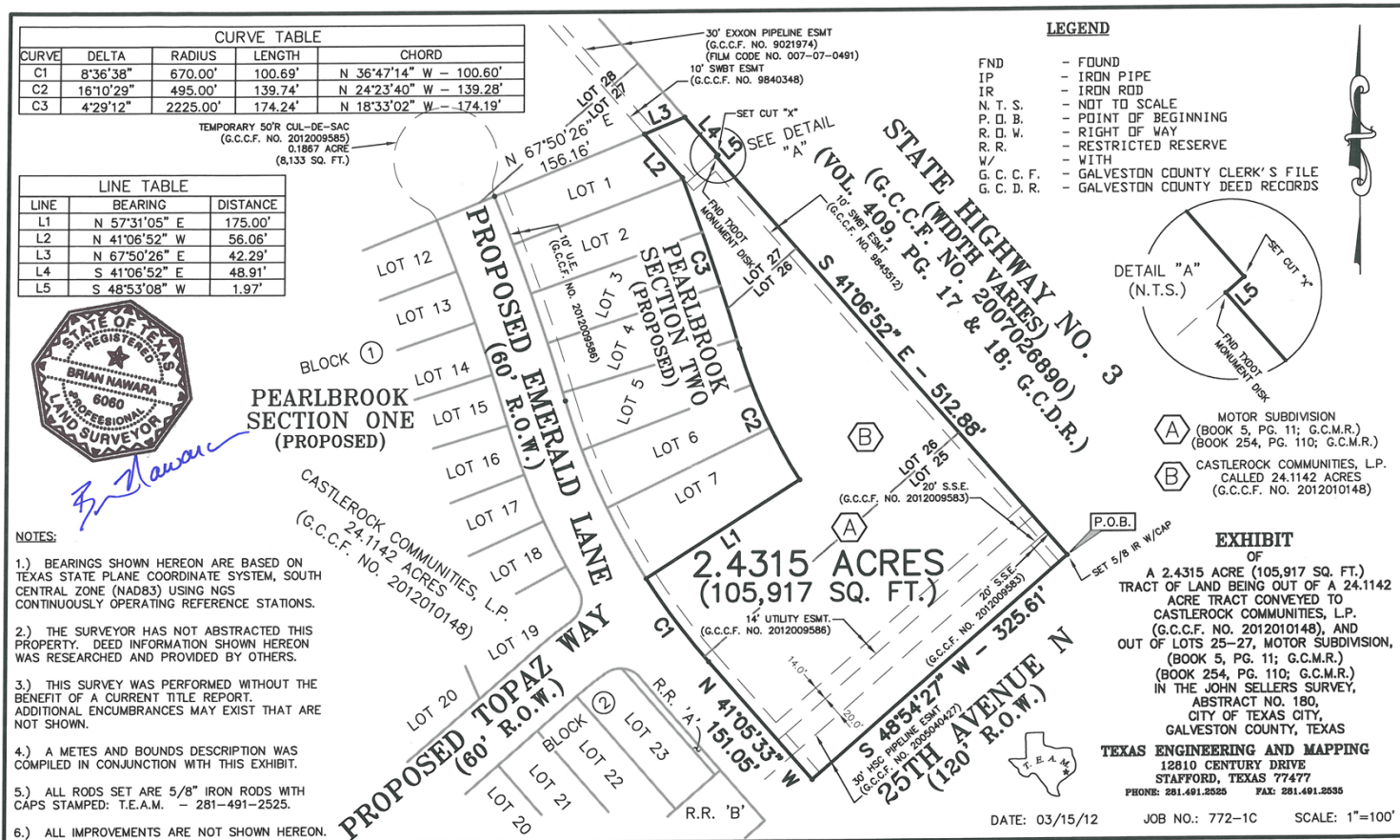
Location Map



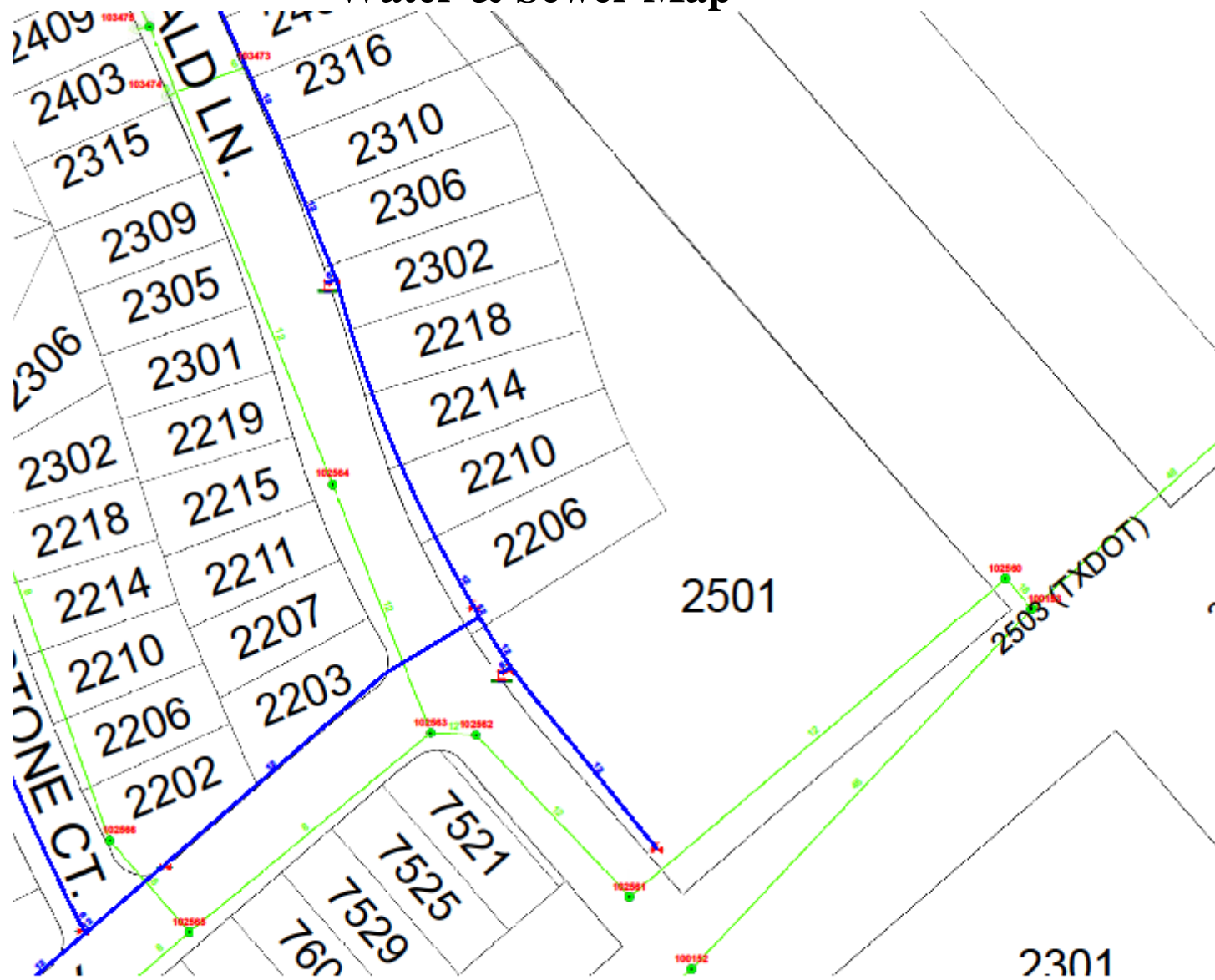
Flood Map



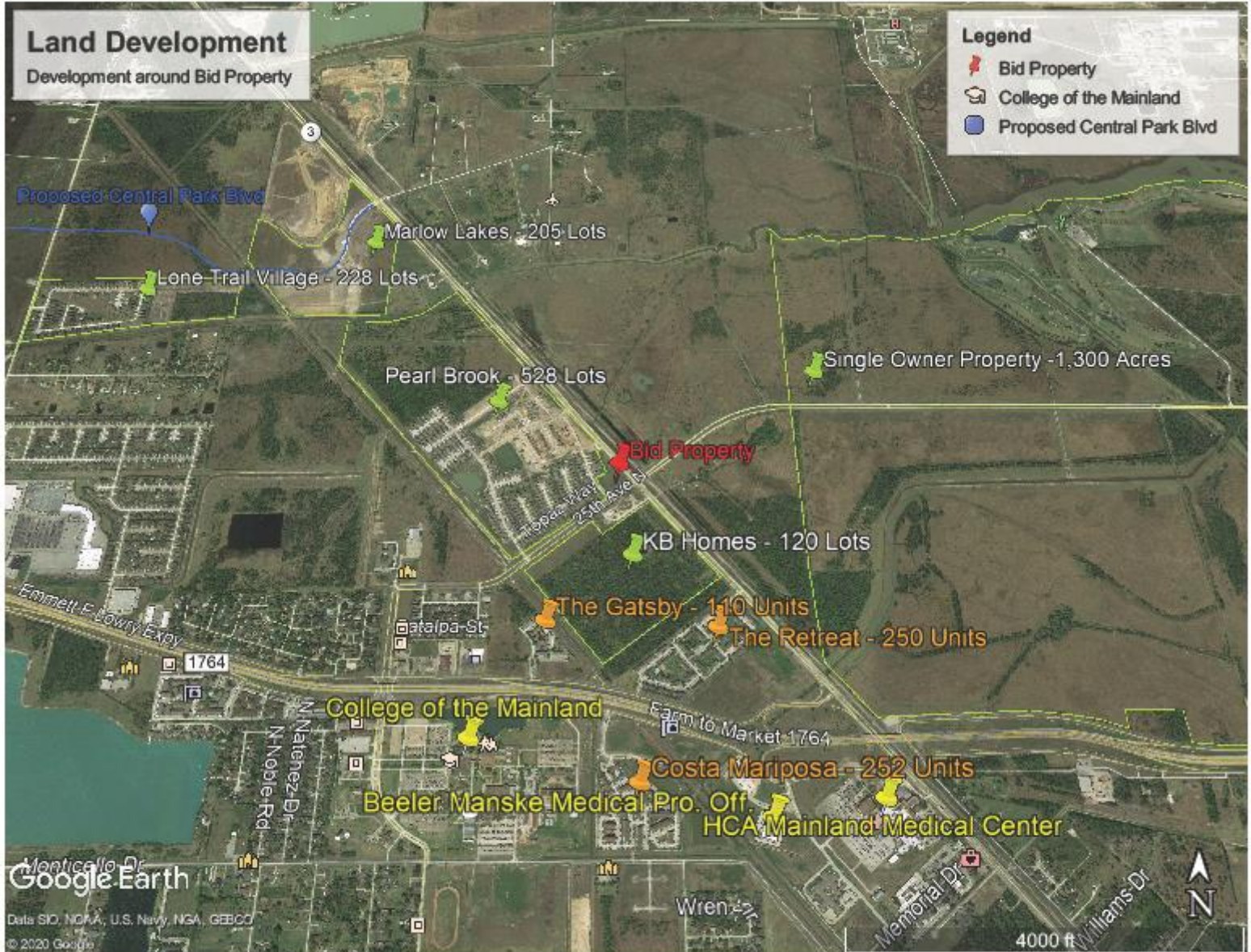
Survey



Water & Sewer Map



Development in Area



CITY COMMISSION REGULAR MTG

(5) (g)

Meeting Date: 06/03/2020

Submitted For: Doug Kneupper, Transportation and Planning

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No. 20-049, accepting funds from the Department of Justice for Covid 19 Response Project from BJA FY 20 Coronavirus Emergency Supplemental Funding Program. (Police Department)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Attachment



Department of Justice (DOJ)

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

May 20, 2020

The Honorable Matthew Doyle
City of Texas City
1801 9th Avenue North, Post Office Box 2608
Texas City, TX 77592-2608

Dear Mayor Doyle:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by City of Texas City for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$52,041. These funds are for the project entitled Covid 19 Response Project.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should City of Texas City accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Wendy Rose, Program Manager at (202) 514-7842; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katharine T. Sullivan".

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)

Office of Justice Programs

Office of Civil Rights

Washington, DC 20531

May 20, 2020

The Honorable Matthew Doyle
City of Texas City
1801 9th Avenue North
Post Office Box 2608
Texas City, TX 77592-2608

Dear Mayor Doyle:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

A handwritten signature in black ink that reads "Michael L. Alston".


Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Texas City 1801 9th Avenue North Post Office Box 2608 Texas City, TX 77592-2608		4. AWARD NUMBER: 2020-VD-BX-0750	
2a. GRANTEE IRS/VENDOR NO. 746002384		5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022	
2b. GRANTEE DUNS NO. 010794535		6. AWARD DATE 05/20/2020	7. ACTION Initial
3. PROJECT TITLE Covid 19 Response Project		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 52,041	
		11. TOTAL AWARD \$ 52,041	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program			
15. METHOD OF PAYMENT GPRS			
[REDACTED] AGENCY APPROVAL [REDACTED]		[REDACTED] GRANTEE ACCEPTANCE [REDACTED]	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Matthew Doyle Mayor	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
[REDACTED] AGENCY USE ONLY [REDACTED]			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. REG. SUB. POMS AMOUNT X B VD 80 00 00 52041		21. VVDUGT0761	



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 3 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 4 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 5 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 6 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 7 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 8 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 9 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 10 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 11 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 12 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 13 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 14 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 15 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 16 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File
From: Orbin Terry, NEPA Coordinator
Subject: Categorical Exclusion for City of Texas City

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Grant

PROJECT NUMBER

2020-VD-BX-0750

PAGE 1 OF 1

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

1. STAFF CONTACT (Name & telephone number)

Wendy Rose
(202) 514-7842

2. PROJECT DIRECTOR (Name, address & telephone number)

Jess Colwell
Assistant Chief
1004 9th Ave North
Texas City, TX 77590-5472
(409) 643-5738

3a. TITLE OF THE PROGRAM

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Covid 19 Response Project

5. NAME & ADDRESS OF GRANTEE

City of Texas City
1801 9th Avenue North Post Office Box 2608
Texas City, TX 77592-2608

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/20/2020 TO: 01/31/2022

8. BUDGET PERIOD

FROM: 01/20/2020 TO: 01/31/2022

9. AMOUNT OF AWARD

\$ 52,041

10. DATE OF AWARD

05/20/2020

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

NCA/NCF

CITY COMMISSION REGULAR MTG

(5) (h)

Meeting Date: 06/03/2020

Bid # 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project

Submitted For: Mike McKinley, Public Works **Submitted By:** Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award bid # 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project to Taylor Waterproofing for the total amount bid \$58,105.05.

BACKGROUND

Bid # 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project was advertised in the paper April 28 and May 05, 2020 and bid packets were made available through our engineering consulting firm, Price Consulting, Inc.. Seven bids were received and opened on May 12, 2020. The lowest responsible bidder meeting all requirements was Taylor Waterproofing with \$41,899.00 base bid, \$1274.00 payment and performance bonds, plus alternates 1 and 2, bringing the total bid price to \$58,105.00.

A letter of recommendation and bid tabulation are attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department to award the contract for Bid # 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project, to Taylor Waterproofing of Houston Texas, for the total bid amount of \$58,105.00 and that the Mayor be authorized to execute a contract on behalf of the City Commission. It is further recommended that the Mayor be authorized to approve change orders, not to exceed 25% of the total contract price, without taking the matter before the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Exhibit A
Resolution



211 HIGHLAND CROSS ROAD • SUITE 220 • HOUSTON, TEXAS 77073
PHONE: (281) 209-1724 • FAX: (281) 209-2724 • TOLL FREE (800) 966-6088

May 20, 2020

Mr. DJ Hutchinson
City of Texas City
301 6th Street North; 1st Floor
Texas City, Texas 77592-2608

Re: Bid Review: Exterior Wall and Roof Repair Project
Fire Station No. 2
PCI Project No. 11614.19

Dear Mr. Hutchinson

On Tuesday, May 19, 2020, a total of seven bids were submitted by prospective contractors for the referenced project. The bids were opened and read aloud and recorded by PCI representative, at 2:00 p.m. on the noted date. A tabulation of the bids is attached.

Based on the bid tabulation, Taylor Waterproofing (Taylor WP) was the low bidder with a submitted Base Bid of \$41,899.00 and Alternate Bids of \$7,973.00, \$6,959.00, \$6,617.00, and \$15,472.00 with a total bid of \$78,920.00. Including costs for Performance & Payment bonds (\$1,274), the total bid was \$80,194.40. PCI reviewed the bids and supplemental information submitted by each bidder for evaluation purposes. PCI has successfully completed numerous roofing and restoration projects with Taylor WP over the past years. In addition, the unit prices and timeframe submitted on their bid appear to be commensurate for the respective item.

Based on our evaluation of the subject qualifications and information submitted, Taylor WP is considered to be the "preferred" and most responsive bidder for this project. PCI recommends selecting Taylor WP for the specified work including selecting Performance and Payment Bonds for a total Contract Amount of \$80,194.00. If you have any questions, or if we can be of further service, please contact me.

Sincerely,

PRICE CONSULTING, INC.

A handwritten signature in black ink, appearing to read 'R. Smith', written over a light blue horizontal line.

Richard R. Smith, RWC, REWC
Senior Building Envelope Consultant

cc: M. McKinley – Texas City

BID TABULATION FORM

**CITY OF TEXAS CITY
TX CITY FIRE
STATION NO.2
PCI PROJECT
#11614.19**

Taylor WP	Liquatech	FW Walton	JR Jones
-----------	-----------	-----------	----------

BASE BID	\$41,899.00	\$72,585.00	\$77,357.00	\$88,902.00
P&P BOND	\$1,274.00	\$1,395.00	\$1,500.00	\$2,667.00
ALTERNATE BID NO.1	\$7,973.00	\$5,266.00	\$6,100.00	\$6,242.00
ALTERNATE BID NO.2	\$6,959.00	\$3,580.00	\$4,700.00	\$14,072.00
ALTERNATE BID NO.3	\$6,617.00	\$4,600.00	\$5,700.00	\$5,347.00
ALTERNATE BID NO.4	\$15,472.00	\$1,395.00	\$7,700.00	\$7,317.00

PROJECT COMPLETION

BASE BID	60	90	90	60
ALTERNATE BID NO.1	10	5	10	N/A
ALTERNATE BID NO.2	10	5	10	15
ALTERNATE BID NO.3	5	5	10	12
ALTERNATE BID NO.4	5	10	10	20

UNIT PRICES

MASONRY CRACK REPAIR	\$4.99	\$8.00	\$8.00	\$17.50
TUCKPOINTING	\$4.99	\$12.00	\$8.00	\$20.00
BRICK REPLACEMENT	\$5.74	\$35.00	\$20.00	\$25.00
M. ROOF PANEL REPLACE.	\$14.84	\$250.00	\$300.00	\$10.00
M. SOFFIT PANEL REPLACE	\$14.84	\$100.00	\$100.00	\$15.00

ADDENDUM NO.1	X	X	X	X
ADDENDUM NO.2	X	X	X	X

**CITY OF TEXAS CITY
TX CITY FIRE
STATION NO.2
PCI PROJECT
#11614.19**

Strategic Roof			Frost Const	
----------------	--	--	-------------	--

BASE BID	\$91,892.00	\$94,364.00	\$203,000.00	
P&P BOND	\$2,500.00	\$2,359.00	\$4,500.00	
ALTERNATE BID NO.1	\$4,134.00	\$3,939.00	\$3,850.00	
ALTERNATE BID NO.2	\$5,232.00	\$6,279.00	\$4,300.00	
ALTERNATE BID NO.3	\$8,800.00	\$9,308.00	\$1,200.00	
ALTERNATE BID NO.4	\$8,500.00	\$11,860.00	\$1,800.00	

PROJECT COMPLETION

BASE BID	45	75	90	
ALTERNATE BID NO.1	3	3	7	
ALTERNATE BID NO.2	3	4	7	
ALTERNATE BID NO.3	5	10	7	
ALTERNATE BID NO.4	5	14	7	

UNIT PRICES

MASONRY CRACK REPAIR	\$4.00	\$6.00	\$23.00	
TUCKPOINTING	\$6.00	\$9.00	\$6.00	
BRICK REPLACEMENT	\$8.00	\$204.00	\$17.00	
M. ROOF PANEL REPLACE.	\$7.00	\$20.00	\$8.00	
M. SOFFIT PANEL REPLACE	\$9.00	\$25.00	\$9.00	

ADDENDUM NO.1	X	X	X	
ADDENDUM NO.2	X	X	X	

RESOLUTION NO. 20-050

A RESOLUTION AWARDING BID NO. 2020-379 FIRE STATION 2 ROOF AND EXTERIOR WALL REPAIR PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TAYLOR WATERPROOFING AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on April 28, 2020 and May 5, 2020, the Notice to Bidders and bid packets were made available through Price Consulting, Inc., an engineering consulting firm, to area vendors for Bid No. 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project; and

WHEREAS, bids were opened on May 12, 2020, and the lowest responsible bidder meeting all requirements was Taylor Waterproofing, Houston, Texas for an estimated bid amount of \$58,105.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the City Commission awards Bid No. 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project to Taylor Waterproofing.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with Taylor Waterproofing for the unit prices bid attached hereto as **Exhibit "A"** and to approve change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(5) (i)

Meeting Date: 06/03/2020

2020-380 Levy Fry Pedestrian Bridge Relocation Project

Submitted For: Mike McKinley, Public Works **Submitted By:** Mike McKinley, Public Works

Department: Public Works

Information

ACTION REQUEST (Brief Summary)

Approve and award bid # 2020-380 Levy Fry Pedestrian Bridge Relocation Project, to Tandem Services, LLC. for the total amount of \$190,670.00.

BACKGROUND

The Notice to Bidders was advertised on April 29th and May 06, 2020 and bid packets were made available to local area vendors. 8 bids were received and opened on May 13, 2020 at 9 a.m..

The lowest responsible bidder meeting all qualifications was Tandem Services, LLC. with a total bid price of \$190,670.00.

A letter of recommendation with a bid tabulation, is attached for your review.

ANALYSIS

It is the recommendation of the Public Works Department to award the contract for bid # 2020-380 Levy Fry Pedestrian Bridge Relocation Project, to Tandem Services, LLC. for the total bid price of \$190,670.00, and that the Mayor be authorized to execute a contract on behalf of the City Commission. It is further recommended that the Mayor be authorized to approve change orders, not to exceed 25% of the total contract price, without taking the matter before the City Commission.

Thank you.

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Exhibit A
Resolution



May 19, 2020

Mr. Jack Haralson
Director of Public Works
City of Texas City
301 6th Street North
Texas City, Texas 77592

Re: **Letter of Recommendation for Relocation of Pedestrian Bridge**
BID #2020-380
City of Texas City
ARKK Job No. 20-004

Dear Mr. Haralson:

On May 13, 2020, eight (8) bids were received for the above referenced project. This project involves the removal, transport, and relocation of an existing pedestrian bridge located at Levy Fry Intermediate School to the soccer fields parking lot located along 34th Street south of 25th Avenue. Following is a summary of our bid evaluation:

1. Bid Tabulation Sheet – Eight (8) construction firms participated in the bidding process. The bids were checked for mathematical errors and/or bid irregularities.

<u>BIDDER</u>	<u>TOTAL BID</u>
Tandem Services, LLC.	\$ 190,670.00
Lucas Construction Company, Inc.	\$ 197,375.00
DVL Enterprises, LLC.	\$ 227,175.00
Division III Constructors, Inc.	\$ 251,490.00
Domac Inc.	\$ 260,104.50
Jerdon Enterprise, L.P.	\$ 298,288.00
SER Construction Partners, LLC.	\$ 309,545.00
Gael, Inc.	\$ 382,050.00

Qualifications and References – Tandem Services, LLC provided a List of Qualifications and References for this project. ARKK's staff have reviewed the list of Tandem Services, LLC's completed project. ARKK's staff also has contacted references listed to obtain additional information on Tandem Services, LLC. performance of work. The references have been positive in nature and indicated that they were pleased with the work performed. ARKK's staff also contacted Tandem Services, LLC's management to discuss the project requirements and City's

expectations. Tandem Services, LLC's staff indicated that they have qualified personnel and experience to complete the work successfully within the contract time provided.

Tandem Services, LLC appears to be a responsible firm that is capable of performing the specified work in a satisfactory manner. For these reasons, we recommend that the City of Texas City award the **Pedestrian Bridge Relocation Project to Tandem Services, LLC for a total amount of \$190,670.00.**

If you have any questions, please contact me.

Sincerely,

ARKK ENGINEERS, LLC



Mr. Madhu Kilambi, P.E.

Senior Project Manager

RESOLUTION NO. 20-051

A RESOLUTION AWARDDING BID NO. 2020-380 LEVI FRY PEDESTRIAN BRIDGE RELOCATION PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TANDEM SERVICES, LLC AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, on April 29, 2020 and May 6, 2020, bid packets were made available to local area vendors for Bid No. 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project; and

WHEREAS, bids were opened on May 12, 2020, and the lowest responsible bidder meeting all requirements was Taylor Waterproofing, Houston, Texas for an estimated bid amount of \$58,105.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the City Commission awards Bid No. 2020-379 Fire Station 2 Roof and Exterior Wall Repair Project to Taylor Waterproofing.

SECTION 2: That the Mayor is hereby authorized to enter into a contract with Taylor Waterproofing for the unit prices bid attached hereto as **Exhibit "A"** and to approve change orders not to exceed twenty-five percent (25.0%) of the total contract without taking the matter before the City Commission.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(5) (j)

Meeting Date: 06/03/2020

Cost Sharing Agreement Between City, Lago Mar Development Authority and Land Tejas

Submitted For: Doug Kneupper, Transportation and Planning

Submitted By: Doug Kneupper, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST (Brief Summary)

Consider approval of a Cost Sharing Agreement between Texas City, Lago Mar Development Authority, and Land Tejas.

BACKGROUND

The underlying project for all this is to design and construct an elevated water storage tank in Lago Mar, estimated to cost \$4.4 million. Last November, a Cost Sharing Agreement was approved between The City, Land Tejas and GCMUD 56. The City and Land Tejas would share 50:50 in the cost of the water storage tank; and Land Tejas would seek reimbursement from GCMUD 56.

Under this new Cost Sharing Agreement, there is still a 50:50 cost sharing arrangement, but now the cost sharing will be between the City and Lago Mar Development Authority (LMDA). The primary reason behind this change is that LMDA has recently sold bonds for projects within Lago Mar, and LMDA can now directly fund specific construction projects. There is efficiency and some overall cost savings associated with LMDA being able to directly fund projects.

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Cost Sharing Agreement

Vicinity Map

**INTERLOCAL PROJECT AGREEMENT
(Elevated Storage Tank)**

This Interlocal Project Agreement (the "Agreement"), effective as of the 28th day of May, 2020, is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, among **Lago Mar Development Authority**, a not-for-profit local government corporation organized and existing under the laws of the State of Texas (the "Authority"); **City of Texas City**, a municipal corporation and a home-rule city in the State of Texas (the "City"); and **Land Tejas Lago Mar, L.L.C.**, a Texas limited liability company (the "Developer") (each a "Party" and collectively, the "Parties").

RECITALS

WHEREAS, the City is willing to construct the elevated storage tank as shown generally on **Exhibit A** attached hereto (the "Project"), but does not have funds on hand at this time to pay the entire costs of the Project; and

WHEREAS, the City, the Developer and Galveston County Municipal Utility District No. 56 previously entered into that certain Cost Sharing Agreement for Water Storage Facilities dated November 20, 2019 (the "Original Cost Sharing Agreement") whereby the Developer agreed to advance funds to the City for 50% of the actual design and construction costs of the Project (the "Developer Contribution"); and

WHEREAS, the Parties have each determined that the completion of the Project serves a public purpose and each Party will receive a benefit from completion of the Project; and

WHEREAS, the Authority and the City are authorized to provide certain governmental functions, including but not limited to, the provision of water, sanitary sewer, drainage and road improvements; and

WHEREAS, the Parties wish to enter into this agreement to contribute to the Developer's obligations under the Original Cost Sharing Agreement and to provide for funding, design and construction of the Project; and

WHEREAS, the Authority and the City have funds available to pay or caused to be paid the costs of the Project, as proposed under this Agreement;

NOW THEREFORE, in consideration of the mutual promises, obligations, and benefits herein set forth, the Parties contract and agree as follows:

AGREEMENT

Section 1. Scope of the Improvements. The Parties agree that the construction of the Project will benefit the City and the public. The Parties further agree that the Project should include the design and construction of the elevated storage tank as shown generally on **Exhibit A**. The Project may be completed in one or more phases.

Section 2. Cost Allocation of Improvement Costs. The “Project Costs” are the actual costs of all the engineering, materials, labor, construction and inspection fees and expenses arising in connection with the design and construction of the Project. The Authority agrees to fund a maximum of \$2,200,000 of actual Project Costs (the “Authority Contribution”). The Authority’s Contribution will count toward the Developer’s Contribution under the Original Cost Sharing Agreement as if the payment had been made by the Developer. Upon payment of the Authority Contribution, the Developer shall continue to be responsible under the Original Cost Sharing Agreement for an amount equal to the Developer Contribution minus the Authority Contribution. The City agrees to pay the remaining actual Project Costs not funded by the Authority and the Developer.

Section 3. Construction Financing.

a. Deposit of Funds. Not later than 10 days after the execution of this Agreement, the Authority will deposit the Authority Contribution with the City. The City agrees to deposit the Authority’s funds into a designated fund for the design and construction of the Project (the “Construction Fund”) to be accounted for separately from other City funds. Such funds may be invested or reinvested, from time to time, as provided in the investment policy of the City and in the manner provided by applicable law and regulations. The City further agrees that the Construction Fund, and any interest earned thereon, will be used only for purposes of making payment for the Project Costs of the Project.

b. Final Accounting. The City agrees to have a final accounting done of the Construction Fund upon final completion of the Project. In the event that the final Project Costs of the Project, as adjusted for final quantities and properly approved change orders, results in funds (including actual interest earned) remaining in the Construction Fund, the City will return to the Authority and to the Developer each a proportionate share of any such funds remaining within 30 calendar days of final completion of the Project or the final phase thereof.

Section 4. Construction.

a. Bidding. The City will advertise each phase of the Project for bid, and award to and execute a construction contract (the “Construction Contract”)

with the winning bidder, in accordance with the City's standard procedures and in accordance with all laws and regulations applicable to the City.

b. Construction Management. The City will be responsible for providing construction phase engineering services for the Project utilizing appropriately qualified personnel and/or contractors. The City is required to submit monthly reports on the progress of the construction work to the Authority in a format agreed to by the Administrator of the Authority or her appointed designee.

c. Pay Application and Change Order Approval. The City has the right to approve or deny all pay applications, change orders and requests for extensions of time and shall pay all valid pay applications issued under the Construction Contract. The City will notify the Authority and Developer in writing of any change orders that increase the costs associated with the Construction Contract prior to approval of any such change order. Notwithstanding the foregoing, approval of change orders shall be in the City's sole and reasonable discretion.

Section 5. Ownership and Maintenance of the Improvements. After the completion of final inspection of the Project, the City shall accept the Project for ownership and maintenance by the City of Texas City.

Section 6. Notices. All notices, requests, demands, and other communications under this Agreement shall be given by (i) electronic mail, (ii) overnight courier or (iii) hand delivery addressed as follows:

If to the Authority: Lago Mar Development Authority
c/o Allen Boone Humphries Robinson LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027
Attn: David Oliver
doliver@abhr.com
Tel: (713) 860-6485

If to the City: City of Texas City
928 5th Avenue North
PO Box 2608
Texas City, Texas 77590
Attn. Doug Kneupper
(409)643-5882

If to the Developer: Land Tejas Lago Mar, LLC
2450 Fondren, Suite 210
Houston, Texas 77063
Attn: Collin Campbell

Section 7. Termination of Agreement. This Agreement is to remain in full force and effect unless terminated by mutual agreement of the parties hereto, or upon the completion of the Project.

Section 8. Entire Agreement; Modification. This Agreement is intended to supplement and amend the Original Cost Sharing Agreement. The City specifically agrees and acknowledges that the Authority Contribution satisfies the first \$2,200,000 of the Developer's obligation under the Original Cost Sharing Agreement. No modification hereof or subsequent agreement relative to the subject matter hereof shall be binding on any party unless reduced to writing and signed by the parties.

Section 9. Parties in Interest. This Agreement shall be for the sole and exclusive benefit of the Parties and shall not be construed to confer any benefit or right upon any other party.

Section 10. Severability. The provisions of this Agreement are severable, and if any word, phrase, clause, sentence, paragraph, section, or other part of this Agreement or the application thereof to any other person or circumstance shall ever be held by any court of competent jurisdiction to contravene or be invalid under the constitution or laws of the State of Texas for any reason, that contravention or invalidity shall not invalidate the entire Agreement. Instead, this Agreement shall be construed as if it did not contain the particular provision or provisions held to be invalid, the rights and obligations of the parties shall be enforced accordingly, and this Agreement shall remain in full force and effect, as construed. The remainder of this Agreement and the application of such word, phrase, clause, sentence, paragraph, section, or other part of this Agreement to the other parties or circumstances shall not be affected thereby.

Section 11. Successors and Assigns. This Agreement shall apply to and be binding upon the parties hereto and their respective officers, directors, successors, and assigns. This Agreement and any of the rights obtained hereunder are not assignable by any party hereto without the express written consent of the other parties, which consent shall not be unreasonably withheld.

Section 12. Authorization. Each party represents that (i) execution and delivery of this Agreement by it has been duly authorized by its governing body or other persons from whom such party is legally bound to obtain authorization; (ii) that the consummation of the contemplated transactions will not result in a breach or violation of, or a default under, any agreement by which it or any of its properties is bound, or by any statute, rule, regulation, order, or other law to which it is subject; and (iii) this Agreement is a binding and enforceable agreement on its part.

Section 13. Applicable Law. This Agreement shall be governed and construed in accordance with the laws of the State of Texas. Venue shall be in Fort Bend County.

Section 14. Effective Date. This Agreement will be effective as of the date of the execution by the last party to execute this Agreement.

[EXECUTION PAGES FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Agreement in multiple counterparts, each of which shall be deemed to be an original.

LAGO MAR DEVELOPMENT AUTHORITY

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(SEAL)

CITY OF TEXAS CITY, TEXAS

Mayor

ATTEST/SEAL:

City Secretary

LAND TEJAS LAGO MAR, L.L.C.,
a Texas limited liability company

By: Brende Lago Mar, L.L.C.,
a Texas limited liability company,
as Manager

By: _____
Al P. Brende, Manager

ACKNOWLEDGED AND CONSENTED TO this _____ day of _____, 2020.

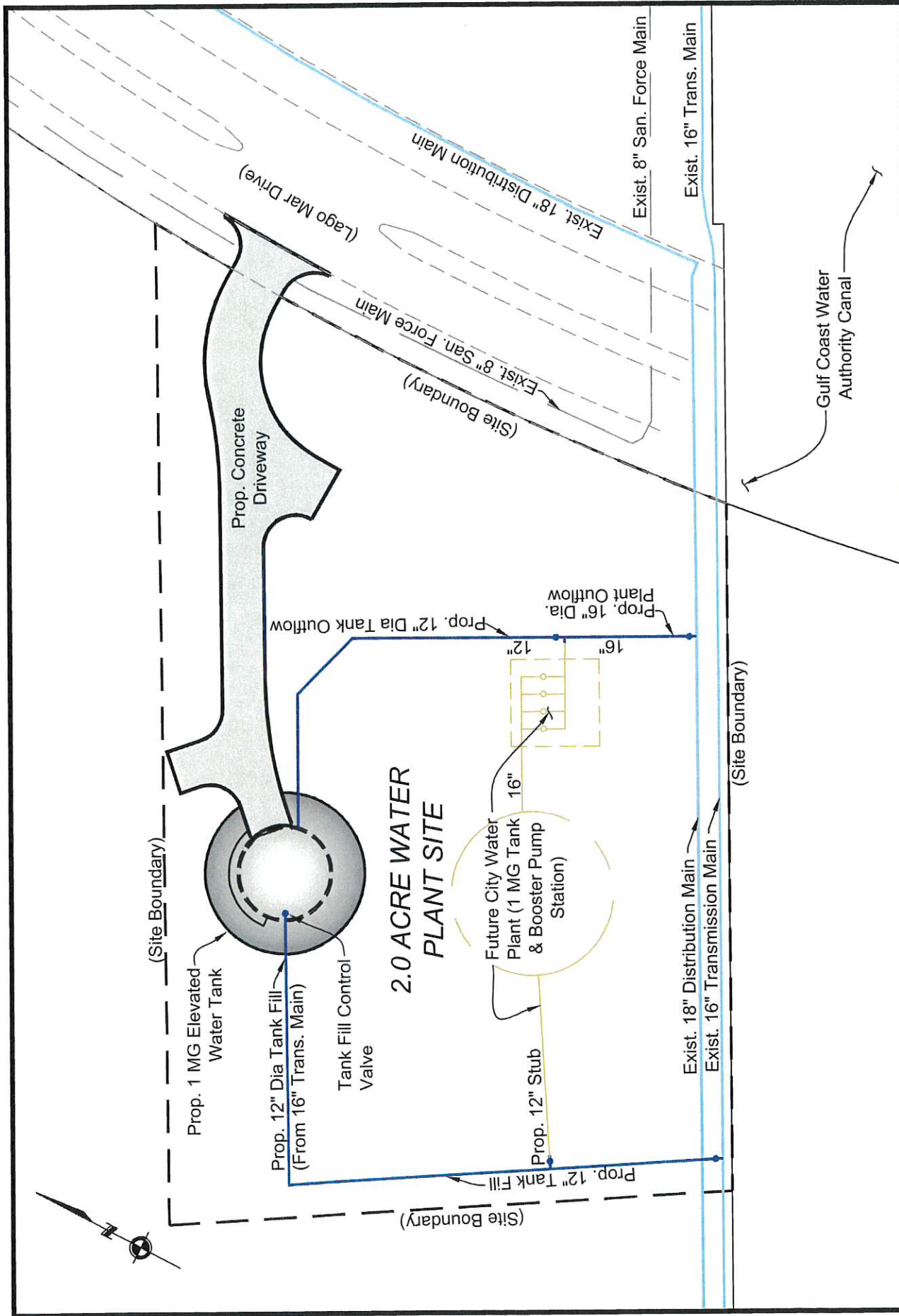
GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 56

By: _____
President, Board of Directors

ATTEST:

By: _____
Secretary, Board of Directors

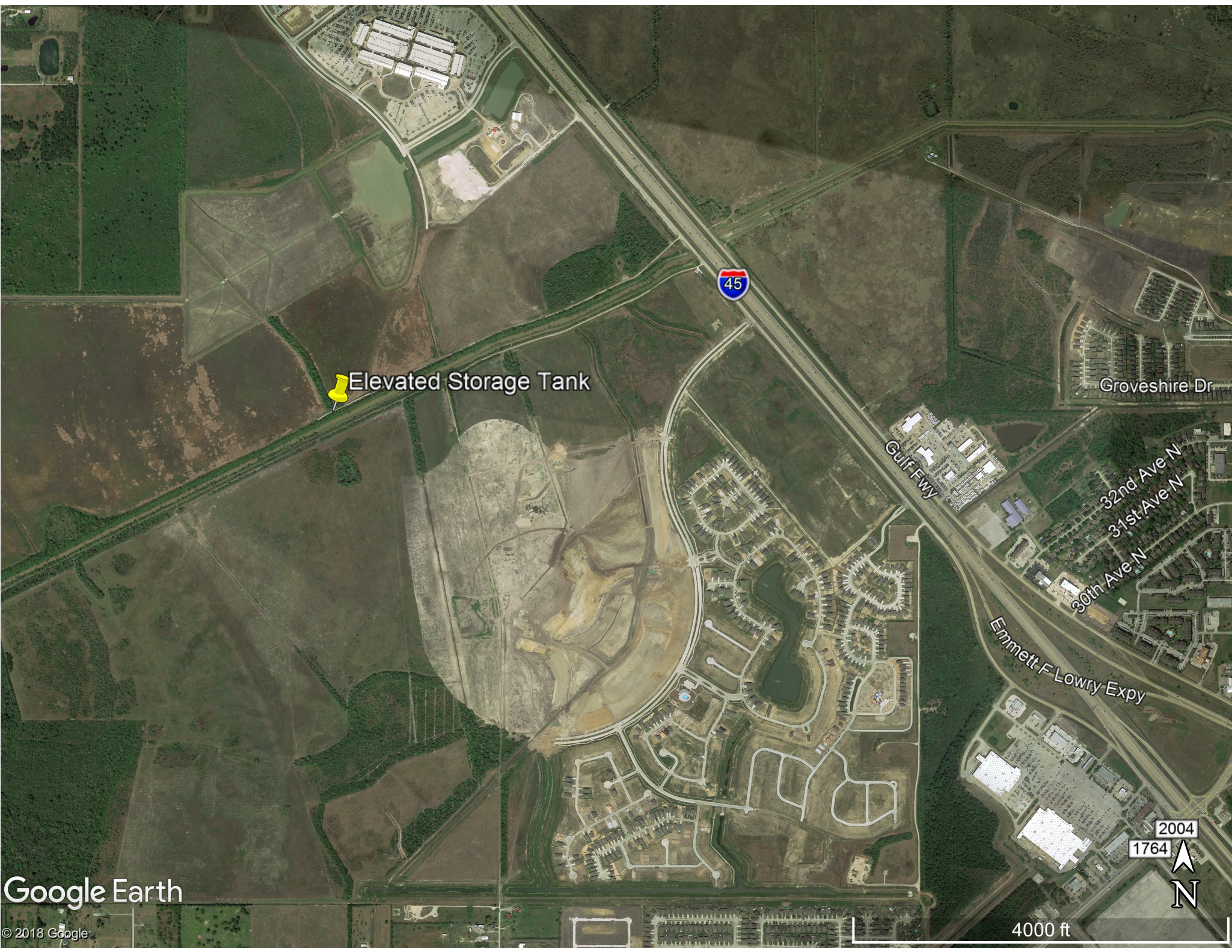
(SEAL)



ARKK Engineers, LLC
 TX PE Firm #13872
 David W. Kasper, P.E. 9/3/2019

LAGO MAR ELEVATED WATER TANK SITE - PHASE 1

Scale: 1" = 60' @ 8.5x11
 CITY OF TEXAS CITY, TX



 Elevated Storage Tank



Groveshire Dr

Gulf FWY

32nd Ave N
31st Ave N
30th Ave N

Emmett F. Lowry Expy

2004
1764



Google Earth

© 2018 Google

4000 ft

CITY COMMISSION REGULAR MTG

(5) (k)

Meeting Date: 06/03/2020

Submitted By: Rhomari Jackson, City Secretary

Department: City Secretary

Information

ACTION REQUEST (Brief Summary)

Consider and take action on Resolution No, 20-053, acknowledging the receipt of the 2019 Annual Report from the Tax Increment Reinvestment Zone Number One (TIRZ 1) Board. (City Secretary)

BACKGROUND

ANALYSIS

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Resolution

Attachment

RESOLUTION NO. 20-053

A RESOLUTION ACKNOWLEDGING THE RECEIPT OF THE 2019 ANNUAL REPORT FOR THE TAX INCREMENT REINVESTMENT ZONE NUMBER ONE (TIRZ 1) BOARD; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the 2018 Annual Report for Tax Increment Reinvestment Zone Number One (“TIRZ 1”) was reviewed and approved by the Board; and

WHEREAS, the City Commission must acknowledge receipt of the TIRZ 1 report so that it can be forwarded to the Texas Comptroller and Office of the Attorney General, as required under Tax Code §311.016; and

WHEREAS, after acknowledging the receipt of the report, it must also be forwarded to College of the Mainland and Galveston County for their records.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby acknowledges the receipt of the 2019 Annual Report for Tax Increment Reinvestment Zone Number One (“TIRZ 1”), as set out on **Exhibit “A”**, attached hereto and incorporated herein for all intents and purposes.

SECTION 2 That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney

2019 ANNUAL REPORT

**TAX INCREMENT REINVESTMENT ZONE
NUMBER ONE
TEXAS CITY, TEXAS**



Tax Year Ending December 2019

TABLE OF CONTENTS

City of Texas City, 2019 City Commission	1
TIRZ Board of Directors 2019	2
Description of the Zone	3
Purpose of the Zone.....	5
State of the Zone and Plan Implementation in 2019	7
Revenue.....	7
Expenditures	10
Interest Due on Outstanding Bonds	11
Base Value & Captured Appraised Value	12
Increment Received by Taxing Entities.....	13

LIST OF FIGURES

Figure 1: City of Texas City TIRZ 1 Location Map	3
Figure 2: City of Texas City TIRZ 1 Boundary Map.....	3
Figure 3: Lago Mar Preliminary Concept Plan	5
Figure 4: Lago Mar Conceptual Master Plan-October 2013	6
Figure 5: Commercial and Residential TIRZ Areas.....	7
Figure 6: Location of Proposed TIRZ Improvements	11

LIST OF TABLES

Table A: Participation Schedule Commercial Area	8
Table B: Participation Schedule Residential Area	8
Table C: Base Year Market Value by Jurisdiction.....	9
Table D: Tax Increment Revenue by Year.....	9
Table E: Estimated Project Plan Costs	10
Table F: GCMUD 54 Debt Service Schedule	12

COMPLIANCE

Texas Tax Code 311.016 (a):	
(1).....	7
(2).....	10
(3).....	11
(4).....	12
(5).....	13

CITY OF TEXAS CITY, TEXAS

2019 CITY COMMISSION

Mayor

Hon. Matthew T. Doyle

Commission Members

Hon. Phil Roberts
Commissioner At-Large
Mayor Pro-Tem

Hon. Bruce Clawson
Commissioner At-Large

Hon. Earl Alexander
Position 1

Hon. Abel Garza
Position 2

Hon. Dorthea Jones
Position 3

Hon. Jami Clark
Position 4

**TAX INCREMENT REINVESTMENT ZONE
NUMBER ONE, CITY OF TEXAS CITY, TEXAS
2019 BOARD OF DIRECTORS**

Position 1	Chris Doyle, Chair Texas City Designee
Position 2	Kyle Dickson College of the Mainland Designee
Position 3	James Torres Texas City Designee
Position 4	Carlos Garza Texas City Designee
Position 5	Rick Wilkenfeld Galveston County Designee
Position 6	Genie Jennings Texas City Designee
Position 7	Hon. Stephen Holmes Galveston County Designee

DESCRIPTION OF ZONE

In accordance with the Tax Increment Financing Act (Chapter 311, Tax Code), Ordinance 06-45 of the City of Texas City, Texas (the “City”) established Reinvestment Zone Number One, City of Texas City, Texas (the “Zone”) on December 20, 2006. The Zone, also known as “The Lago Mar TIRZ”, consists of approximately 3,350 acres located in Galveston County, Texas (the “County”). The Project Plan (the “Plan”) was adopted by City Commission on January 2, 2008 by Ordinance 08-01. In addition to City participation in the Zone, the County and College of the Mainland (the “College”) agreed to participate in the Zone.

To aid and assist in the implementation of the Plan, the City created the Lago Mar Development Authority (the “Authority”), a Local Government Corporation incorporated on July 18, 2007. To further facilitate development within the Zone, the City, the Authority, the TIRZ and Galveston County Municipal Utility District No. 54 (“MUD 54”) entered into an agreement (the “Quad Party Agreement”), effective December 19, 2007, detailing the respective roles and responsibilities of the parties in implementing the Plan. The private sector developer for Lago Mar is Land Tejas Texas City Limited, a Texas Limited Partnership, whose General Partner is Land Tejas Corporation (the “Master Developer”). The Authority and the Master Developer entered into a Master Developer Reimbursement Agreement effective January 3, 2008.

On July 20, 2011, a new agreement was executed between the City, Zone, Authority, MUD 54, Master Developer, and Galveston Premium Outlets LLC (the “Omnibus Agreement”). The Omnibus Agreement modified and amended the terms of the Quad Party Agreement as it relates to the development of the Tanger Outlets Mall projects.

The Zone is situated near the western boundary of Texas City, is bisected by Interstate 45, and at creation was vacant. A map illustrating the location of the Zone within the City follows as Figure 1. Figure 2 depicts the Zone boundary

Figure 1: TIRZ 1 Location Map



Figure 2: TIRZ 1 Boundary Map



Project Plan and Reinvestment Zone Financing Plan Amendment #1

On May 16, 2019, the Board recommended approval of Plan Amendment #1. The amendment was approved by the Texas City City Commission on June 19, 2019. The amendment authorized the modification of the residential base participation rate of each entity for the final 10 years of the Zone from 0% to 40%. This amendment accounted for the nearly 10-year delay in the commencement of residential development in the Zone due to the 2008 housing crisis and recession. The amendment also authorized the addition of a public safety facility as an eligible project cost.

PURPOSE OF ZONE

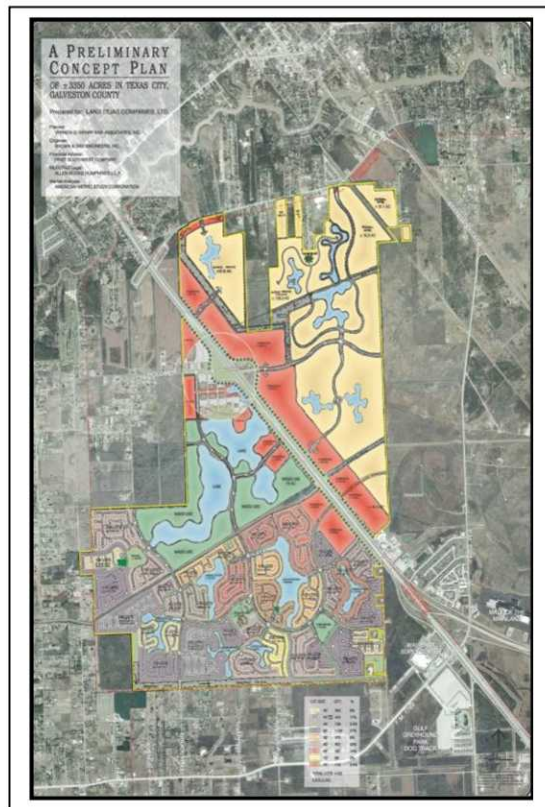
The purpose of the Zone is to facilitate the development of a quality master-planned community, including a large mixed-use component, with amenities and sustainability that will contribute to the growth of the tax base for the City, the County and the College.

The City Commission, in adopting the ordinance creating the Zone, found that the projects described in the Plan provided a focused planning and financing mechanism to promote and monitor this significant development effort to the benefit of all the citizens of the City, individual and corporate, as well as all participating jurisdictions. But for the creation of the Zone and the participating jurisdictions, this area would not likely experience the magnitude of private investment necessary for this property to develop in the proposed manner or to the standards and quality planned in the foreseeable future.

The City Commission further found that improvements in the Zone will enhance the value of all taxable real property within the Zone and will be of general benefit to the City. The methods of financing and the sources of funding available to the Zone, including the participation levels of the entities, are described in the Project Plan and Reinvestment Zone Financing Plan.

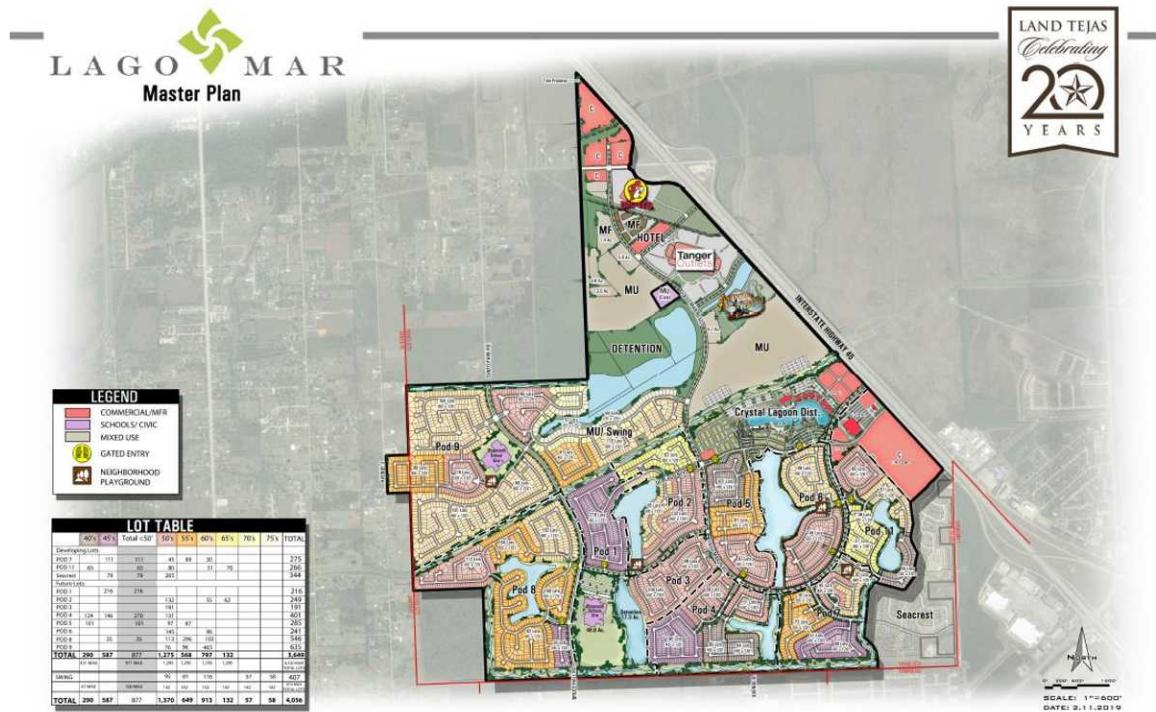
The Preliminary Concept Plan for Lago Mar Master Planned Community is shown below as Figure 3.

Figure 3: Lago Mar Preliminary Concept Plan



As part of the master planning effort, the City and the Master Developer agreed that a mixed-use component to the development would greatly enhance the economic diversification and tax base growth the City is seeking to promote. To that end the Master Developer has put forth a mixed-use concept plan for approximately 898 acres, planned to include large amenity lakes with detention function, trails connecting the mixed-use area to the broader community and a diversity of commercial uses. The mixed-use concept plan follows as Figure 4.

FIGURE 4: Lago Mar Conceptual Master Plan-February 2019



On October 19, 2012, Tanger Factory Outlet Centers held the ribbon cutting and grand opening of the Tanger Outlets Mall, Texas City. The new mall opened with more than 80 brand name and outlet tenants in approximately 350,000 square feet and has become a major tourist attraction. As of December 31, 2019, there are 815 completed homes within the Zone.

STATE OF THE ZONE AND PLAN IMPLEMENTATION IN 2019

Revenue

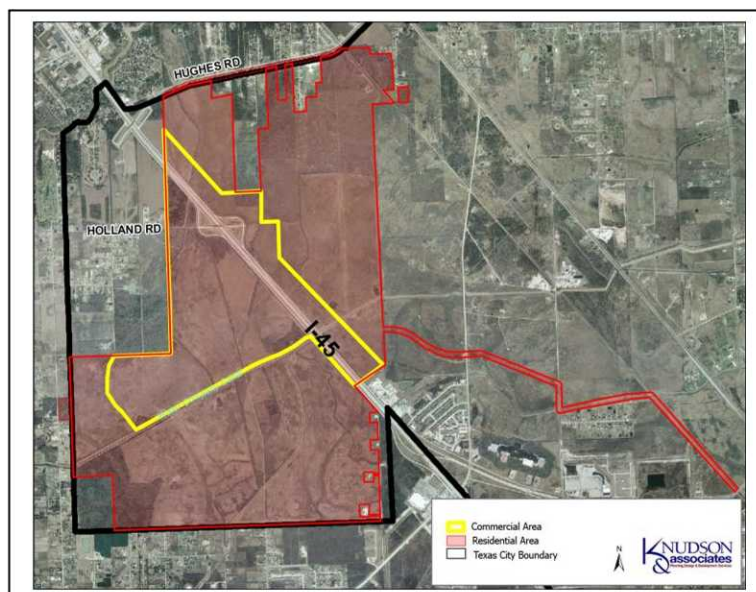
1. The information provided in the section is in accordance with § 311.016 (a) (1) of the Texas Tax Code, which requires inclusion of the amount and source of revenue in the tax increment fund established for the Zone.

In addition to the City's tax increment revenue, interlocal agreements with the County and the College provide for each taxing unit's participation in the Zone. The Plan sets forth a two-tiered participation schedule as follows:

Lago Mar is proposed to be a large master planned community with strong residential and commercial components. The commercial areas of the TIRZ are the very gateway of Texas City and the City seeks to promote the development of these critical areas with a distinctive urban design that establishes a sense of place unique in Galveston County. The City understands that the commercial areas will need time to reach the highest and best uses based on market conditions and to that end the City has proposed and secured a two-tiered participation structure: 100 % participation by the City for 31 years and by the County and the College for 30 years in the commercial area; and 60% for 10 years followed by 40% for 10 years by all entities in the residential areas.

The boundaries of the residential and commercial areas within the TIRZ are shown below as Figure 5.

Figure 5: Commercial and Residential TIRZ Areas



Further within the Residential Area the Plan sets forth a performance-based, enhanced level of participation by the City as follows:

In recognizing the reality of market forces, while wishing to foster the highest quality of single family residential possible, the City has established a base participation level and a second performance-based participation level when certain average value per dwelling unit levels are exceeded in the aggregate. The base participation is shown below and will be enacted when the average value of the single family residential is less than \$180,000. The performance-based participation will be enacted when the average value of the single family residential is greater than \$180,000.

Schedules outlining the varying levels and lengths of participation for both the Commercial Area and the Residential Area follow as Table A and Table B respectively.

Table A: Participation Schedule Commercial Area

Jurisdiction	2019 Tax Rate	2018 Tax Rate	2017 Tax Rate	Years	Participation %
Texas City	\$.5400	\$.5500	\$.577179	2007-2037	100%
Galveston County	\$.516137	\$.531898	\$.5519	2008-2037	100%
College of the Mainland	\$.204254	\$.212755	\$.216791	2008-2037	100%

Tax Rate Source: Galveston County Central Appraisal District

Table B: Participation Schedule Residential Area

Jurisdiction	2019 Tax Rate	2018 Tax Rate	2017 Tax Rate	Years	Base Participation %	Performance Based %
Texas City	\$.5400	\$.5500	\$.577179	2007-2016	60%	75%
				2017-2026	40%	50%
				2027-2037(1)	40%	0%
Galveston County	\$.516137	\$.531898	\$.5519	2008-2017	60%	
				2018-2027	40%	n/a
				2028-2037(1)	40%	
College of the Mainland	\$.204254	\$.212755	\$.216791	2008-2017	60%	
				2018-2027	40%	n/a
				2028-2037(1)	40%	

(1) Modified from 0% to 40% by Plan Amendment #1 and related interlocal agreements with Galveston County and College of the Mainland in 2019.

The obligations of the participating taxing jurisdictions, as defined in their respective interlocal agreements, include the timely deposit of tax increment revenue into the City's tax increment revenue fund. Table C below illustrates the growth in appraised value from the base year 2006 compared to the previous 3 years including 2019 for each participating jurisdiction.

Table C: Base Year Market Value by Jurisdiction

COMMERCIAL	TAX YEAR				
Taxing Entity	2006 Base Value (Taxable)	2017 Value (Taxable)	2018 Value (Taxable)	2019 Value (Taxable)	Captured Appraised Value (Increment)
Texas City	\$82,650	\$129,617,990	\$131,972,482	\$136,046,160	\$135,963,510
Galveston County	\$82,650	\$129,617,990	\$131,972,482	\$136,046,160	\$135,963,510
College of the Mainland	\$82,650	\$129,617,990	\$131,972,482	\$136,046,160	\$135,963,510

RESIDENTIAL	TAX YEAR				
Taxing Entity	2006 Base Value (Taxable)	2017 Value (Taxable)	2018 Value (Taxable)	2019 Value (Taxable)	Captured Appraised Value (Increment)
Texas City	\$321,530	\$38,026,662	\$88,132,532	\$142,650,113	\$142,328,583
Galveston County	\$321,530	\$38,026,662	\$88,132,532	\$142,650,113	\$142,328,583
College of the Mainland	\$321,530	\$38,026,662	\$88,132,532	\$142,650,113	\$142,328,583

Table D illustrates the amount of each jurisdiction's incremental revenue to the tax increment fund for the Residential and Commercial Areas for the previous 5 tax years, including 2019.

Table D: Tax Increment Revenue by Year

COMMERCIAL	TAX YEAR				
Taxing Entity	2015	2016	2017	2018	2019
Texas City	\$491,191	\$637,094	\$747,248	\$723,574	\$701,682
Galveston County	\$613,698	\$699,965	\$707,072	\$697,040	\$655,417
County Road & Flood	\$ 6,291	\$7,372	\$7,448	\$2,719	\$15,256
College of the Mainland	\$221,213	\$267,015	\$280,670	\$279,898	\$265,410
Commercial Total	\$1,332,393	\$1,611,446	\$1,742,438	\$1,703,231	\$1,637,765

RESIDENTIAL	TAX YEAR				
Taxing Entity	2015	2016	2017	2018	2019
Texas City	\$12,779	\$83,058	\$123,704	\$192,942	\$296,534
Galveston County	\$15,966	\$91,255	\$117,001	\$183,886	\$273,451
County Road & Flood	\$ 164	\$961	\$1,232	\$715	\$6,319
College of the Mainland	\$ 5,755	\$34,811	\$46,459	\$74,664	\$111,891
Residential Total	\$34,664	\$210,085	\$288,396	\$452,207	\$688,195

Total TIRZ Increment Revenue 2019	\$2,325,960
--	--------------------

Expenditures

2. The information provided in this section is in accordance with § 311.016 (a) (2) of the Texas Tax Code, which requires inclusion of the amount and purpose of expenditures from the fund.

In accordance with the Quad Party Agreement and the Omnibus Agreement, the Authority may from time to time contract TIRZ revenue to one or more of the Municipal Utility Districts within the TIRZ boundary to facilitate the financing of TIRZ improvements. Additionally, the Authority may reimburse the Master Developer for improvements and may construct improvements directly from increment revenue or bond issuance.

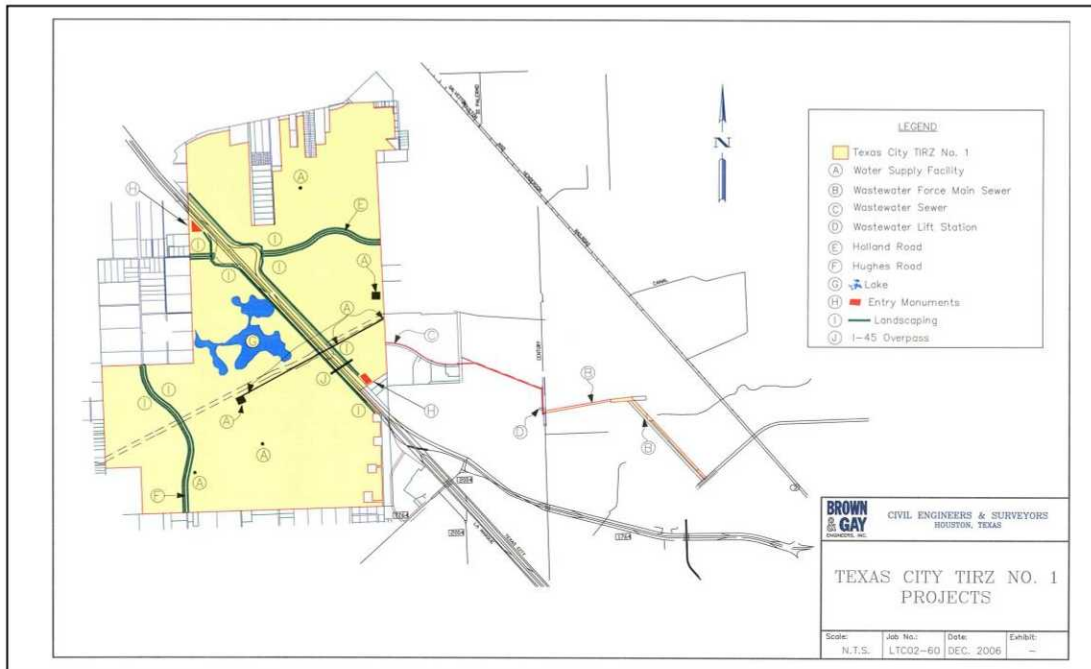
In 2019, the Authority paid \$46,422 for legal, accounting/bookkeeping, administrative, and insurance expenses; and \$36,173 toward the I-45 Branding and Identity Project. Additionally, \$1,489,045 was transferred to MUD 54 in accordance with the requirements of the Omnibus Agreement.

Table E: Estimated Project Plan Costs

Estimate of Project Costs	
Project	Estimated Project Cost
Water	
Water Supply Plant	3,469,594
Remote Water Well and Collection Line(s)	1,682,835
Elevated Water Storage Tank(s), Transmission Line(s), and Related Water Plant Items	7,701,308
Water Well(s), Lines, and Related Water Plant Items	7,638,733
Sub-total	20,492,471
Sanitary Sewer	
Wastewater Plant and Related Force Main(s)	1,571,608
Sanitary Sewer Transmission Line(s)	2,468,238
Other Wastewater Projects and Lift Station(s)	2,355,092
Other Force Main(s)	2,519,492
Sub-total	8,914,429
Roadway and Mobility Improvements	
Holland Road Construction and Landscaping	7,447,717
Hughes Road Construction and Landscaping	6,471,177
I-45 / Overpass	5,000,000
I-45 Landscaping	3,901,309
Sub-total	22,820,203
Detention / Retention / Place Making Amenities	
125 ± Acre Lake	28,973,505
Lake Landscaping	2,259,922
Monumentation	2,323,052
Sub-total	33,556,479
Zone Administration	
Legal, Auditing, Planning, Architectural, Engineering, Administration, etc.	2,850,000
Total Estimated Project Costs	88,633,582
<i>Note: It is understood that land costs for major CIP dedications (water plants, water wells, etc.) and professional fees (engineering, planning, architectural, geotechnical, surveying, etc.) are necessary expenses that will be incurred on behalf of the Zone. These fees have been estimated and included in the line-item projections.</i>	

(1) Project Plan Amendment #1 added a public safety facility with an estimated cost of \$5,000,000.

Figure 6: Location of Proposed TIRZ Improvements



TIRZ Authorized Projects in 2019:

In 2019, there were no new projects authorized, however, the Board was working toward an agreement to fund a portion of the Hughes Road extension and the elevated water storage tank that will be reflected in the 2020 annual report.

Interest Due on Outstanding Bonds

3. The information provided in this section is in accordance with § 311.016 (a) (3) of the Texas Tax Code, which requires inclusion of the amount of principal and interest due on outstanding bonded indebtedness.

The Omnibus Agreement calls for TIRZ Increment Revenue attributable to land and improvements within MUD 54 to be paid by the Authority annually to cover the debt service on bonds issued by the MUD for TIRZ-eligible improvements until the bonds fully paid. Table F below shows the principal and interest due on all such bonds issued by MUD 54.

Table F: GCMUD 54 Debt Service Schedule for TIRZ-Eligible Bonds

Year	Principal	Interest	Total
2020	\$ 560,000	\$ 604,773.75	\$ 1,164,773.75
2021	585,000	589,648.75	1,174,648.75
2022	605,000	572,986.25	1,177,986.25
2023	630,000	554,548.75	1,184,548.75
2024	655,000	535,178.75	1,190,178.75
2025	680,000	513,773.75	1,193,773.75
2026	710,000	490,208.75	1,200,208.75
2027	740,000	463,943.75	1,203,943.75
2028	770,000	435,063.75	1,205,063.75
2029	805,000	404,753.75	1,209,753.75
2030	840,000	372,553.75	1,212,553.75
2031	880,000	338,953.75	1,218,953.75
2032	915,000	302,972.50	1,217,972.50
2033	960,000	264,467.50	1,224,467.50
2034	1,000,000	224,057.50	1,224,057.50
2035	1,050,000	181,557.50	1,231,557.50
2036	1,100,000	134,970.00	1,234,970.00
2037	1,150,000	86,145.00	1,236,145.00
2038	800,000	34,800.00	834,800.00
Total	\$ 15,435,000	\$ 7,105,357.50	\$ 22,540,357.50

Source: Masterson Advisors

Base Value & Captured Appraised Value

4. The information provided in this section is in accordance with § 311.016 (a) (4) of the Texas Tax Code, which requires inclusion of the tax increment base and current captured appraised value retained by the Zone.

The captured appraised value of the Zone is the total appraised value of all real property located within the Zone, less the tax increment base value. In each year subsequent to the base year, the Zone will receive tax increment revenue based on ad valorem property taxes levied and collected by each participating taxing unit on the captured appraised value of the Zone.

Base Year:

As of January 1, 2006, the base year for the Zone, the total appraised value of the TIRZ was \$404,180, comprised of \$321,530 for the residential area and \$82,650 for the commercial area.

2019 Total Taxable Value:

On January 1, 2019, the Zone had a total assessed value of \$278,696,273, comprised of \$142,650,113 for the residential area and \$136,046,160 for the commercial area. (See Table C)

2019 Captured Appraised Value:

The total captured appraised value (total taxable value - base year value) as of January 1, 2019 was \$278,292,093, comprised of \$142,328,583 for the residential area and \$135,963,510 for the commercial area. (See Table C.)

Increment Received by Taxing Entities

5. The information provided in this section is in accordance with § 311.016 (a) (5) of the Texas Tax Code, which requires inclusion of the captured appraised value shared by the City and other taxing units, the total amount of tax increments received, and any additional information necessary to demonstrate compliance with the Plan.

For Tax Year 2019 the total increment paid into the increment fund was \$2,325,960. (See Table D.)

**TAX INCREMENT REINVESTMENT ZONE NUMBER ONE
TEXAS CITY, TEXAS
2017 ANNUAL REPORT
Tax Year Ending December 31, 2019**

Prepared by Marsh Darcy Partners, Inc.

CITY COMMISSION REGULAR MTG

(6) (a)

Meeting Date: 06/03/2020

Amend fiscal year 2019-20 budget

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Consider approval of a request to amend the City of Texas City's fiscal year 2019-20 budget.

BACKGROUND

A budget amendment is needed to appropriate funds for the relocation of the pedestrian bridge at Levi Fry Intermediate School.

From Public Works:

It is the recommendation of the Public Works Department to award the contract for bid # 2020-380 Levy Fry Pedestrian Bridge Relocation Project, to Tandem Services, LLC. for the total bid price of \$190,670.00, and that the Mayor be authorized to execute a contract on behalf of the City Commission. It is further recommended that the Mayor be authorized to approve change orders, not to exceed 25% of the total contract price, without taking the matter before the City Commission. City personnel from Public Works, Engineering and Planning, and Inspections departments will be moved from their current locations to this building.

ANALYSIS

Budget amendment:

Construction Fund (Fund 411):

Land & Building Improvements	\$190,670.00
Unassigned Fund Balance	(\$190,670.00)

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Ordinance

ORDINANCE NO. 20-23

AN ORDINANCE AMENDING ORDINANCE NO. 19-27 ADOPTING THE 2019-2020 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FOR THE RELOCATION OF THE PEDESTRIAN BRIDGE AT LEVI FRY INTERMEDIATE SCHOOL; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, by Ordinance No. 19-27, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2019-2020; and

WHEREAS, a budget amendment is needed to appropriate funds for the relocation of the pedestrian bridge at Levi Fry Intermediate School.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2: That the budget for Fiscal Year 2019-2020 of the City of Texas City, Texas, is hereby amended as follows:

Construction Fund (Fund 411)

Land & Building Improvements	\$190,670.00
Unassigned Fund Balance	(\$190,670.00)

SECTION 3: That the chief executive officer shall file or cause to be filed a copy of this budget amendment in the office of the Galveston County Clerk.

SECTION 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of all members of the City Commission.

SECTION 5: That this Ordinance shall be finally passed and adopted on the date of its introduction and shall become effective from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney

CITY COMMISSION REGULAR MTG

(6) (b)

Meeting Date: 06/03/2020

Amend fiscal year 2019-20 budget

Submitted For: Laura Boyd, Finance

Submitted By: Laura Boyd, Finance

Department: Finance

Information

ACTION REQUEST (Brief Summary)

Consider approval of a request to amend the City of Texas City's fiscal year 2019-20 budget.

BACKGROUND

A budget amendment is needed to appropriate the funds from BJA FY 20 Coronavirus Emergency Supplemental Funding Program for the purchase of personal protective equipment (PPE) for the Police Department. This grant will reimburse us for the purchase of PPE.

See the attached grant document from the U. S. Department of Justice Office of Justice Programs.

ANALYSIS

Budget amendment:

BJA Grant Fund (Fund 221):

Equipment and Supplies	\$52,041.00
Grant Revenue	(\$52,041.00)

ALTERNATIVES CONSIDERED

Fiscal Impact

Attachments

Covid grant
Ordinance



Department of Justice (DOJ)

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

May 20, 2020

The Honorable Matthew Doyle
City of Texas City
1801 9th Avenue North, Post Office Box 2608
Texas City, TX 77592-2608

Dear Mayor Doyle:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by City of Texas City for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$52,041. These funds are for the project entitled Covid 19 Response Project.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should City of Texas City accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Wendy Rose, Program Manager at (202) 514-7842; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katharine T. Sullivan".

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)

Office of Justice Programs

Office of Civil Rights

Washington, DC 20531

May 20, 2020

The Honorable Matthew Doyle
City of Texas City
1801 9th Avenue North
Post Office Box 2608
Texas City, TX 77592-2608

Dear Mayor Doyle:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

A handwritten signature in black ink that reads "Michael L. Alston".

Michael L. Alston
Director


cc: Grant Manager
Financial Analyst



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 16

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Texas City 1801 9th Avenue North Post Office Box 2608 Texas City, TX 77592-2608		4. AWARD NUMBER: 2020-VD-BX-0750	
2a. GRANTEE IRS/VENDOR NO. 746002384		5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022	
2b. GRANTEE DUNS NO. 010794535		6. AWARD DATE 05/20/2020	7. ACTION Initial
3. PROJECT TITLE Covid 19 Response Project		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 52,041	
		11. TOTAL AWARD \$ 52,041	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program			
15. METHOD OF PAYMENT GPRS			
[REDACTED] AGENCY APPROVAL [REDACTED]		[REDACTED] GRANTEE ACCEPTANCE [REDACTED]	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Matthew Doyle Mayor	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
[REDACTED] AGENCY USE ONLY [REDACTED]			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR X FUND CODE B BUD. ACT. VD DIV. OFC. 80 DIV. REG. 00 SUB. 00 POMS AMOUNT 52041		21. VVDUGT0761	



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 3 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 4 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 5 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 6 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 7 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 8 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 9 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 10 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 11 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 12 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 13 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 14 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 15 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 16 OF 16

PROJECT NUMBER 2020-VD-BX-0750

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File
From: Orbin Terry, NEPA Coordinator
Subject: Categorical Exclusion for City of Texas City

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER

2020-VD-BX-0750

PAGE 1 OF 1

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

1. STAFF CONTACT (Name & telephone number)

Wendy Rose
(202) 514-7842

2. PROJECT DIRECTOR (Name, address & telephone number)

Jess Colwell
Assistant Chief
1004 9th Ave North
Texas City, TX 77590-5472
(409) 643-5738

3a. TITLE OF THE PROGRAM

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Covid 19 Response Project

5. NAME & ADDRESS OF GRANTEE

City of Texas City
1801 9th Avenue North Post Office Box 2608
Texas City, TX 77592-2608

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/20/2020 TO: 01/31/2022

8. BUDGET PERIOD

FROM: 01/20/2020 TO: 01/31/2022

9. AMOUNT OF AWARD

\$ 52,041

10. DATE OF AWARD

05/20/2020

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

NCA/NCF

ORDINANCE NO. 20-24

AN ORDINANCE AMENDING ORDINANCE NO. 19-27 ADOPTING THE 2019-2020 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FROM BJA FY 20 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR THE POLICE DEPARTMENT; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET IN THE OFFICE OF THE GALVESTON COUNTY CLERK; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, by Ordinance No. 19-27, the City Commission of the City of Texas City, Texas, adopted its budget for Fiscal Year 2019-2020; and

WHEREAS, a budget amendment is needed to appropriate funds from the BJA FY 20 BJA FY 20 Coronavirus Emergency Supplemental Funding Program for the purchase of personal protective equipment (PPE) for the Police Department. This grant will reimburse us for the purchase of PPE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2: That the budget for Fiscal Year 2019-2020 of the City of Texas City, Texas, is hereby amended as follows:

BJA Grant Fund (Fund 211)

Equipment and Supplies	\$52,041.00
Grant Revenue	(\$52,041.00)

SECTION 3: That the chief executive officer shall file or cause to be filed a copy of this budget amendment in the office of the Galveston County Clerk.

SECTION 4: That the Charter requirement for reading this Ordinance on three (3) separate days has been dispensed by a majority vote of all members of the City Commission.

SECTION 5: That this Ordinance shall be finally passed and adopted on the date of its introduction and shall become effective from and after its passage and adoption.

PASSED AND ADOPTED this 3rd day of June 2020.

Matthew T. Doyle, Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Nicholas J. Finan
City Secretary

Kyle L. Dickson
City Attorney