

CITY OF TEXAS CITY  
SPECIAL CALLED CITY COMMISSION MEETING

AGENDA

JUNE 18, 2024 - 5:00 P.M.

KENNETH T. NUNN COUNCIL ROOM - CITY HALL  
1801 9th Ave. N.  
Texas City, TX 77590

PLEASE NOTE: Public comments and matters from the floor are generally limited to 3 minutes in length. If you would like to request to speak, please do so in advance of the meeting by filling out a Request To Address Commission form. 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) PLEDGE OF ALLEGIANCE

(4) PROCLAMATIONS AND PRESENTATIONS

(a) Service Awards

Laquita Walker	Sanitation	06/08/2009	15 years
Mark Lovell	Fire	06/08/2009	15 years
Charles Cotton	Sanitation	06/07/1999	25 years
Kevin Johnson	Public Works	06/05/1989	35 years

Retirement

Charles Cotton	Sanitation	25 years
John Broussard	Police	32 years

(5) REPORTS

(a) Collections (Municipal Court)

(b) Wastewater and Sewer (Public Works)

(6) PUBLIC HEARING

(a) CDBG 2024-2025 Annual Action Plan 1st Public Hearing.

(7) PUBLIC COMMENTS

(8) CONSENT AGENDA

(a) Approve City Commission Minutes for June 5, 2024 meeting (City Secretary)

(b) Consider and take action on Resolution No. 2024-73, authorizing the purchase of five (5) soft starter panels and disconnects for reactor aeration blowers at the Wastewater Treatment Plant. (Public Works)

(c) Consider and take action on Resolution No. 2024-74, awarding a contract for Bid No. 2024-010 Laboratory Testing at the Wastewater Treatment Plant Annual Contract. (Public Works)

(d) Consider and take action on Resolution No. 2024-75, appointing members to various boards, committees, and advisories. (City Secretary)

(e) Consider and take action on Resolution No. 2024-078, authorizing the purchase and installation of heaters in the belt press room of the Wastewater Treatment Plant. (Public Works)

(9) REGULAR ITEMS

(a) Consider and take action on Resolution No. 2024-076, confirming Mayor Dedrick Johnson's appointment of Cynthia Rushing as the Director of Finance.

(b) Consider and take action on Resolution No. 2024- 077, amending the Grant Administration Manual to include 2 CFR part 200.318-327 Subpart D Post Federal Award Requirements. (Community Development and Grants Administration)

(10) COMMISSIONERS' COMMENTS

(11) MAYOR'S COMMENTS

(12) 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 JUNE 13, 2024, PRIOR TO 5:00 P.M., AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

\_\_\_\_\_  
RHOMARI LEIGH  
CITY SECRETARY  
POSTED: \_\_\_\_\_

AI-7301

(4) (a)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

June 2024 Service Awards

**Submitted For:** Jennifer Price, Human Resources

**Submitted By:** Susan Sensat, Human Resources

**Department:** Human Resources

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**Information**

**ACTION REQUEST**

Service Awards

Laquita Walker	Sanitation	06/08/2009	15 years
Mark Lovell	Fire	06/08/2009	15 years
Charles Cotton	Sanitation	06/07/1999	25 years
Kevin Johnson	Public Works	06/05/1989	35 years

Retirement

Charles Cotton	Sanitation	25 years
John Broussard	Police	32 years

**BACKGROUND (Brief Summary)**

Service Award(s) for the following individual(s) for the month of June is based on their years of service with the City.

**RECOMMENDATION**

Human Resources recommend approval of the June service awards.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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**AI-7314**

**(5) (a)**

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

**Submitted By:** Rhomari Leigh, City Secretary

**Department:** City Secretary

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**Information**

**ACTION REQUEST**

Collections (Municipal Court)

**BACKGROUND (Brief Summary)**

**RECOMMENDATION**

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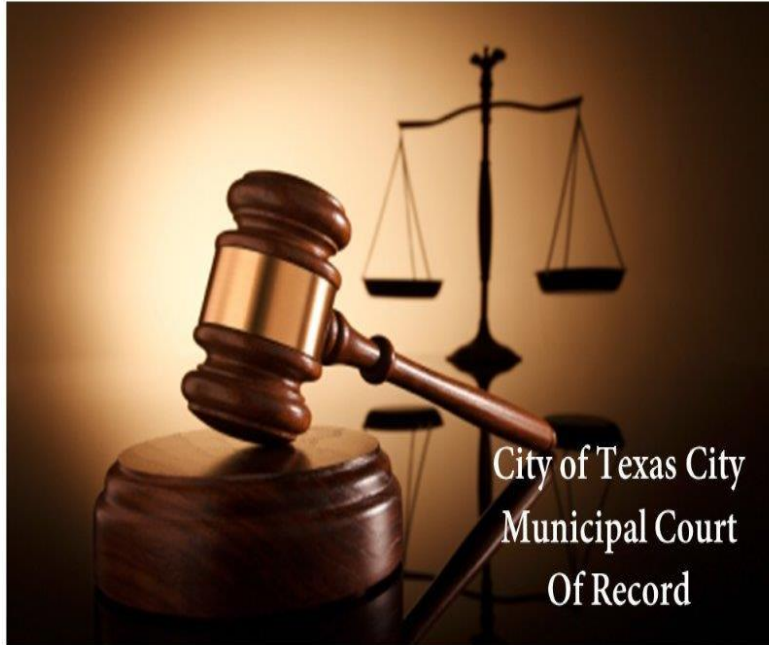
**Fiscal Impact**

**Attachments**

Staff Report

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# Texas City Municipal Court

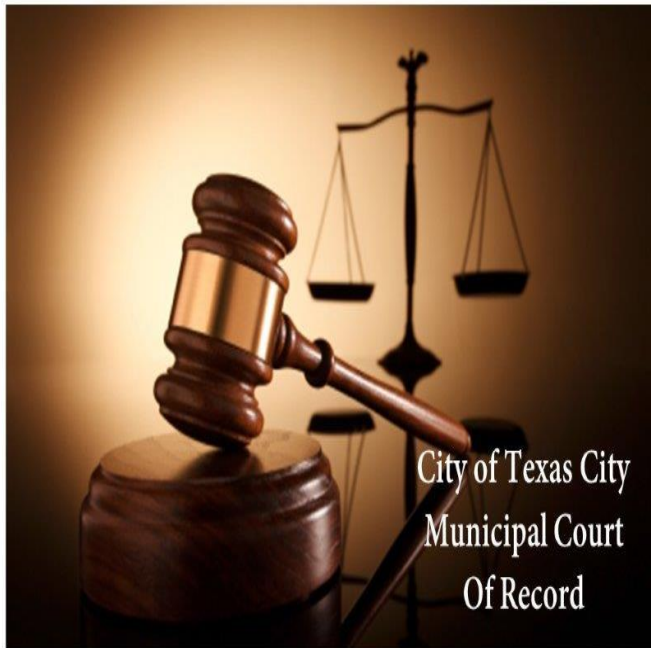


Annual Report  
June 18, 2024



*Texas City*  
EST. 1911

# Court Team



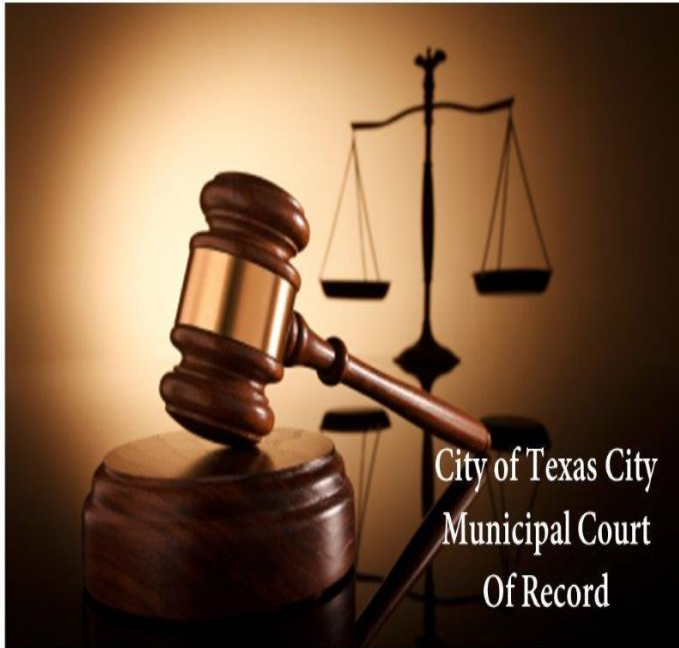
- 1 – Presiding Judge
- 2 – Associate Judges
- 1 - Prosecutor
- 1 – Court Administrator
- 5 – Deputy Court Clerks



# Jurisdiction

## Criminal Cases

- Class C Misdemeanors
- City Ordinances
- Texas Statutes
- Federal CMV Violations



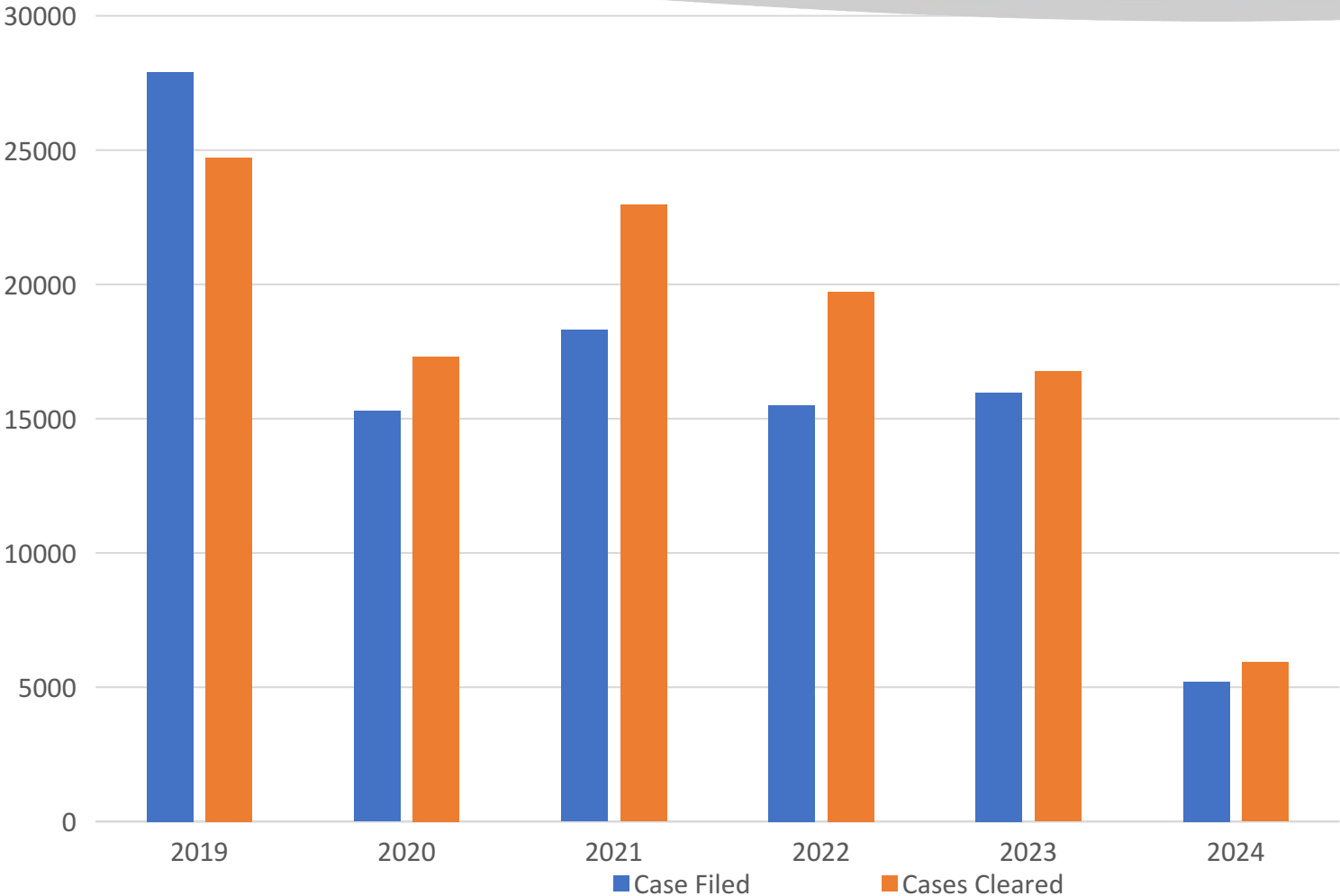
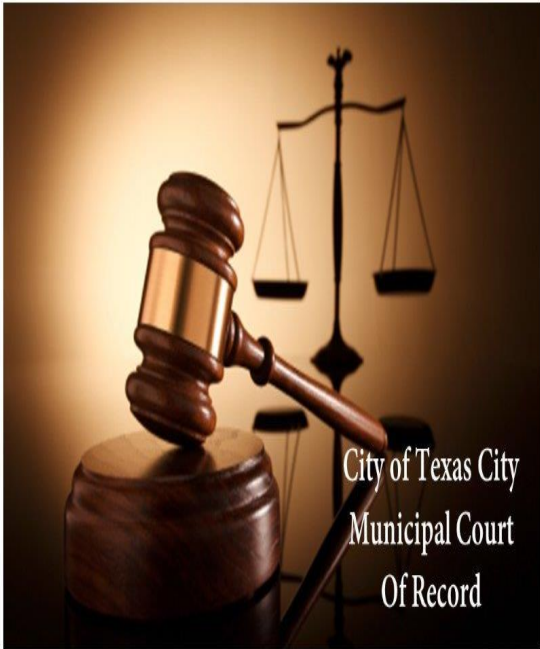
## Administrative Cases

- Substandard Structures
- Junk Vehicles
- High Grass, Weeds, Rubbish
- Expunctions
- Modifications of Magistrate Orders

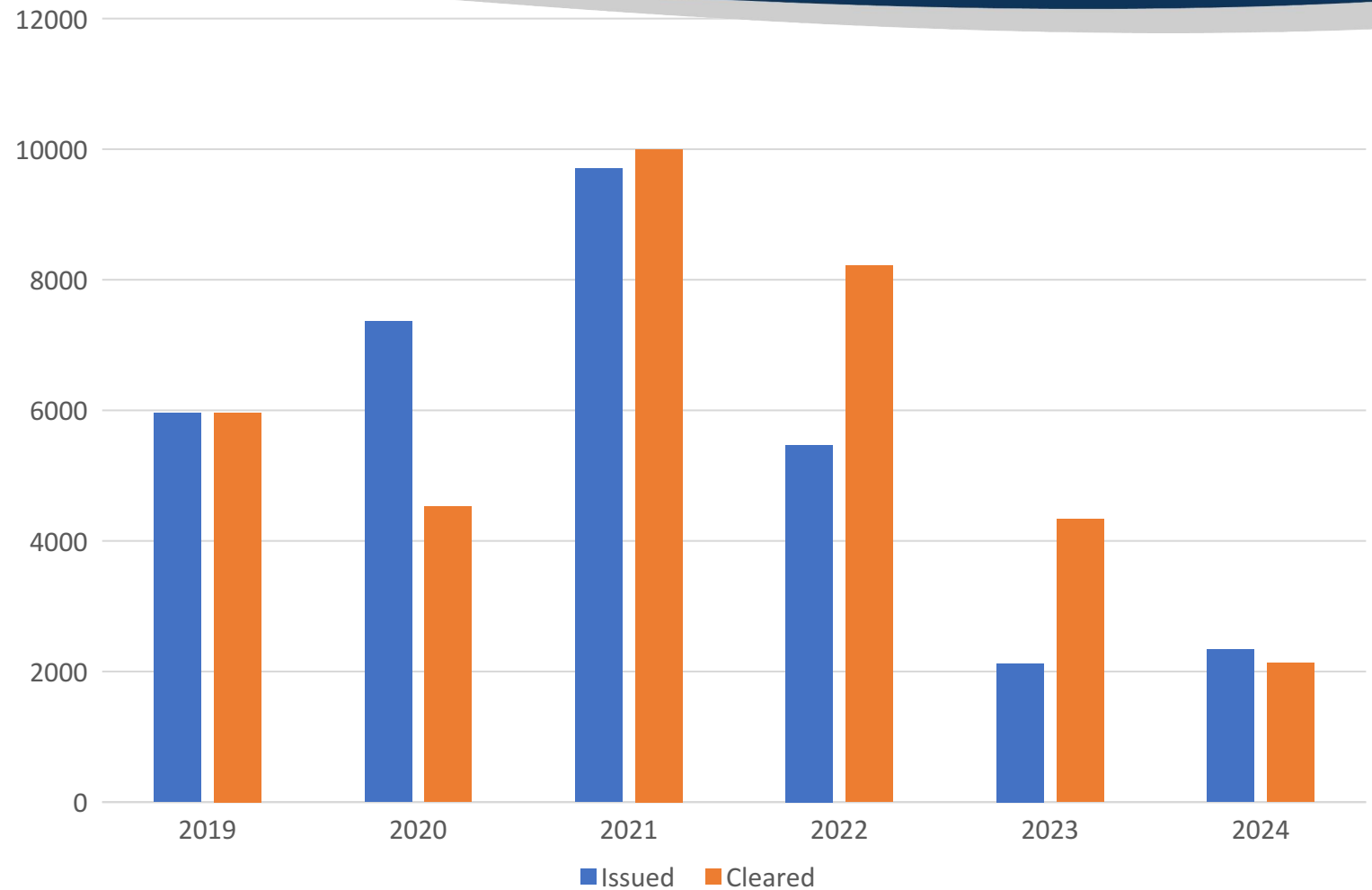
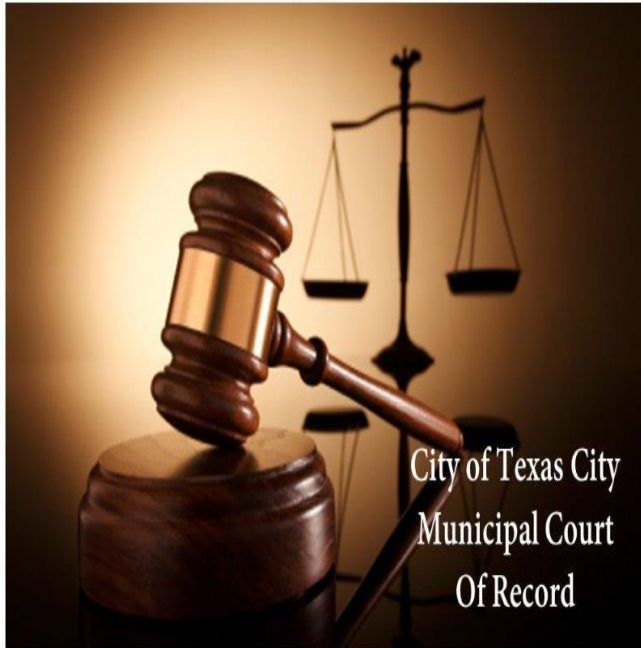




# Cases Filed v Cases Cleared

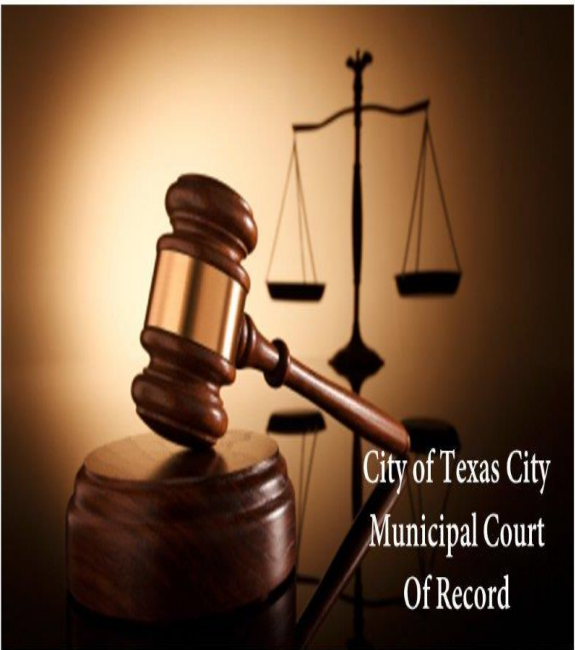
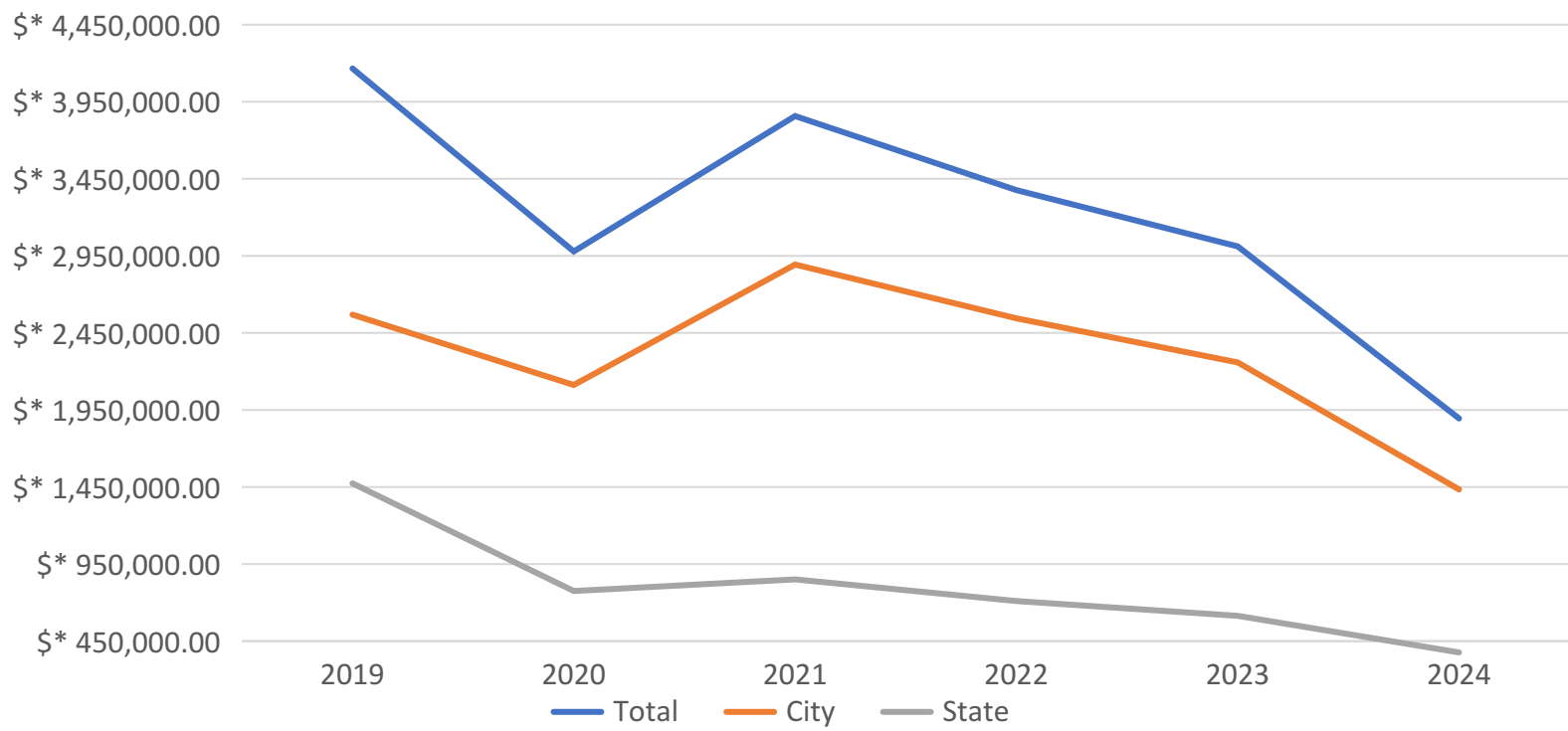


# Warrants Issued v Warrants Cleared

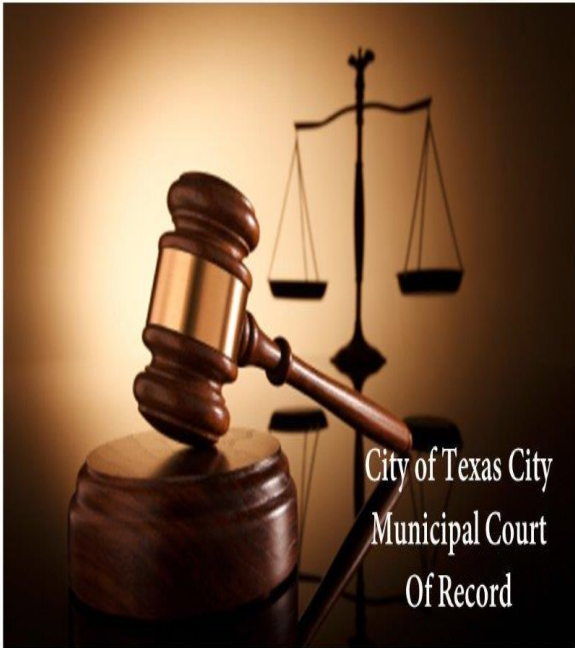


# History of Collections

By Fiscal Year



## Questions



Tammy Odom, CCM, CMCC

[todom@texascitytx.gov](mailto:todom@texascitytx.gov)

409-643-5801



*Texas City*  
EST. 1911

**AI-7324**

**(5) (b)**

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

**Submitted By:** Rhomari Leigh, City Secretary

**Department:** City Secretary

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**Information**

**ACTION REQUEST**

Wastewater and Sewer (Public Works)

**BACKGROUND (Brief Summary)**

**RECOMMENDATION**

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**Fiscal Impact**

**Attachments**

Staff Report

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# Wastewater and Sewer



*Texas City*  
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# Sewer Line Maintenance

- Wayne Solomon
- 11 man crew
- Work 7:30 to 4:00, Monday – Friday
- An after-hours phone is answered 24 hrs.
- Customer complaints
  - Stoppages
  - Line breaks
  - Line relocations
  - Sink holes
- Cleaning and televising lines

# Wastewater Treatment Plant

- Calvin Bremer
- 14 man crew
  - Day and evening shift
  - Saturday and Sunday shift
  - Monitored 24 hrs.
- Maintenance and operation of the Wastewater Treatment Plant
- Maintenance and operation of 53 sanitary sewer lift stations





# Wastewater and Sewer Projects

- Sewer Line Phase 23
- Lift Station 22 rebuild
- Lift Station 7, 15, 21, and 25 rehabilitation
- Lift Station 30 Discharge Piping (ARPA)
- Isolation Valves at Wastewater Treatment Plant (ARPA)
- Misc. projects at WWTP

# Questions?



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AI-7320

(6) (a)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

Program Coordinator, Community Development and Grant Administration

**Submitted For:** Patricia Mata, Community Development/ Grant Admin

**Submitted By:** Patricia Mata, Community Development/ Grant Admin

**Department:** Community Development/ Grant Admin

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**Information**

**ACTION REQUEST**

Request to approve the CDBG 2024-2025 Annual Action Plan - 1st Hearing.

**BACKGROUND (Brief Summary)**

The Consolidated Plan is carried out through the Annual Action Plan, which provides a concise summary of the actions, activities, and specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.

Each year the City must submit an Annual Action Plan to HUD, reporting on how that year's funding allocation for the CDBG entitlement grant will achieve the goals outlined in the Five-Year Consolidated Plan.

1. Community Development staff will gather input from citizens and consultations to prepare the draft Action Plan. There shall be two public hearings to receive citizen input on the community's needs, including funding allocations.
2. Community Development staff will gather public input and statistical data to prepare the draft Action Plan. The draft Action Plan will be available for 30 days for public comment with reasonable notice (at least 2 weeks) to the public.
3. The Community Development Department staff will be allowed to make recommendations to the Mayor, City Commission, and the Director of Community Development.
4. When approved by the Mayor and City Commission, the Action Plan will be submitted to HUD.

**RECOMMENDATION**

To conduct the Public Hearing.

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**Fiscal Impact**

**Attachments**

CDBG 2024 AAP

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# CDBG 2024 ANNUAL ACTION PLAN

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1st Public Hearing

June 18, 2024

# Introduction

- The Community Development Department (CDD) is the administrative agency for the U.S. Department of Housing and Urban Development (HUD)'s Community Development Block Grant (CDBG) Program.
- This program is intended to support the goals of providing a suitable living environment, decent affordable housing, and expanding economic opportunities for low- to moderate-income persons.

# Action Plan Process

- Each year the City of Texas City must submit an annual Action Plan to HUD, reporting on how that year's funding allocation for the CDBG entitlement grant will be able to achieve the goals outlined in the Five-Year Consolidated Plan.
- Community Development staff must gather input from citizens and consultations to prepare the draft Action Plan.
- This is the 1st public hearing to receive citizen input on the community's needs, including funding allocations.

## Process, cont.

- The draft Action Plan will be available for 30 days for public comment from June 17, 2024, to July 17, 2024.
- Copies will be available at the Community Development Department (City Hall Annex), Moore Memorial Public Library, and City Hall. It will also be available via the City's website at [www.texascitytx.gov](http://www.texascitytx.gov) on the Community Development Department page.
- When approved by the Mayor and City Commission, the Action Plan will be submitted to HUD.

# Consolidated plan PY's 2020-2024

- Priority needs
  - Preserve housing stock
  - Provide public space for youth
  - Make affordable housing accessible
  - Economic development
  - Provide employment and career development for youth



# Consolidated plan, cont.

- Goals
  - Provide Housing Assistance
  - Provide Supportive Services & Employment for Youth
  - Remove Slum & Blight
  - Housing Reconstruction
  - Improve Condition of Housing Stock
  - Improve Presentation of Low- to Mod-Areas

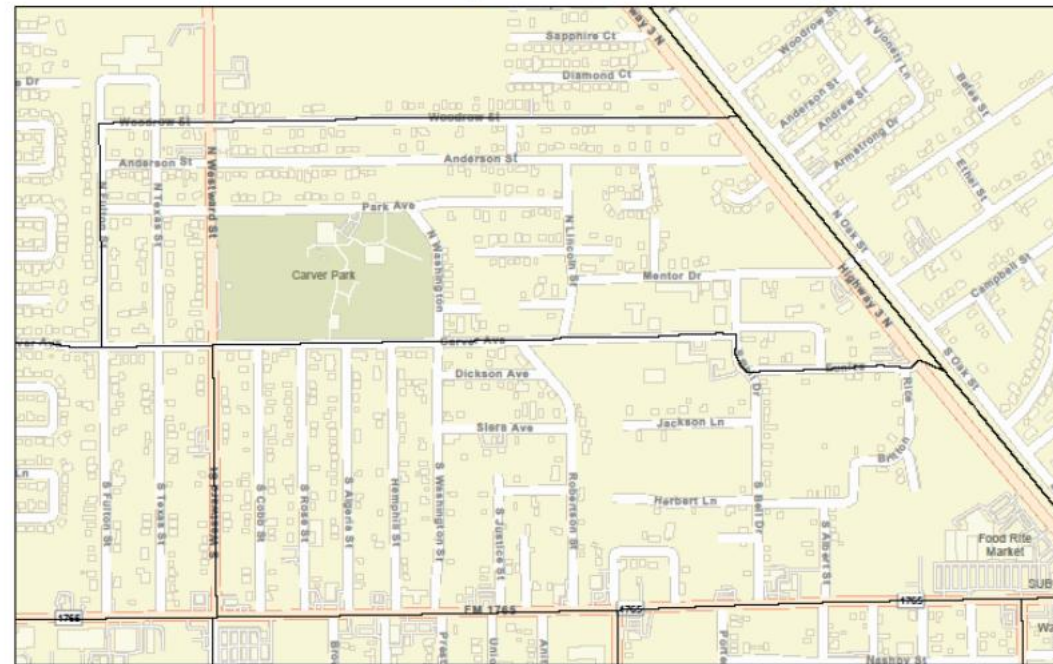


# PY' 2024 Strategy

- Two target areas
  - 1867 Settlement Historic District
  - Greater Chelsea Manor Area

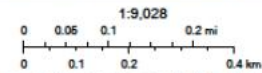
# 1867 SETTLEMENT HISTORIC DISTRICT HWY 3 TO WESTWARD AVE. AND F.M. 1765 TO ANDERSON ST.

Low- and Moderate-Income Data, based on 2011-2015 ACS 5-year Estimates



6/21/2023, 1:31:32 PM

LMISD by Block Group



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Earl Community Maps Contributors, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Earl, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METRANSA, USGS, EPA, NPS, US Census Bureau, USDA

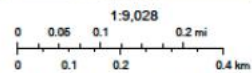
# GREATER CHELSEA MANOR 14TH ST. TO BAY ST. AND 9TH AVE. N TO TEXAS AVE.

Low- and Moderate-Income Data, based on 2011-2015 ACS 5-year Estimates



6/21/2023, 1:43:17 PM

LMISD by Block Group



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# 2024 Action Plan Recommendations

- Programs and Projects
  - Housing Rehabilitation
  - Neighborhood Cleanup and Beautification (Keep Texas City Beautiful)
  - Public Services (Housing) for Seniors and Differently Abled
  - Transformation & Revitalization Implementation

# Recommendations, cont.

Program/Project	# of Beneficiaries	Proposed PY' 24 Budget
Housing Rehabilitation	10	\$300,000
Neighborhood Cleanup & Beautification (Keep Texas City Beautiful)	4938	\$5,000
Public Services for Seniors and Differently Abled	TBD	\$20,000
Public Facilities & Improvements	4938	\$21,014
Transformation & Revitalization Implementation	4938	\$50,000
Administration	n/a	\$10,000
<b>Total</b>		<b>\$406,014</b>

# Housing Rehabilitation

- The City will rehabilitate privately-owned & occupied, single-unit homes of eligible Texas City residents to create suitable living environments, preserve housing stock, and mitigate hazards in anticipation of future natural disasters.

# Neighborhood Clean-Up & Beautification

- The City will remove trash and debris, plant trees and flowers, in low-mod income neighborhoods under the “Keep Texas City Beautiful” umbrella to create suitable living environments.
- The main events are the Great American Cleanup & the Fall Sweep.



## Public Services for Seniors, Differently-Abled, & Unsheltered

- The City will provide \$5,000 grants to Texas City community-based non-profits that provide housing related services to our unsheltered, seniors, and/or differently-abled.

## Public Facilities & Improvements

- The City will create suitable living environments and stimulate economic development in the two target areas by developing open spaces areas for recreational use, landscaping, sidewalk improvements, installing street lighting, and street signs.

# Transformation & Revitalization Planning

- The City will implement the Commission approved revitalization plans for the 1867 Settlement Historic District and the Greater Chealsea Manor Area.



# Questions & Comments Welcome

We want to know your thoughts!



Titilayo Smith, Director

[tsmith@texascitytx.gov](mailto:tsmith@texascitytx.gov) or 409-643-5731

Community Development & Grants Administration

Patricia Mata, Program Coordinator

Community Development & Grants Administration

[pmata@texascitytx.gov](mailto:pmata@texascitytx.gov) or 409-643-5730

**AI-7316**

**(8) (a)**

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

**Submitted For:** Rhomari Leigh, City Secretary

**Submitted By:** Rhomari Leigh, City Secretary

**Department:** City Secretary

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**Information**

**ACTION REQUEST**

Approve City Commission Minutes for June 5, 2024 meeting (City Secretary)

**BACKGROUND (Brief Summary)**

**RECOMMENDATION**

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**Fiscal Impact**

**Attachments**

Minutes

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# REGULAR CALLED CITY COMMISSION MEETING

## MINUTES

WEDNESDAY, JUNE 5, 2024 – 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, JUNE 5, 2024, 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 5:00 p.m. by Mayor Dedrick D. Johnson.

### 1. ROLL CALL

Present: Dedrick D. Johnson, Mayor  
Thelma Bowie, Commissioner At-Large, Mayor Pro Tem  
Abel Garza, Jr. , Commissioner At-Large  
DeAndre' Knoxson, Commissioner District 1  
Keith Love, Commissioner District 2  
Chris Sharp, Commissioner District 3  
Jami Clark, Commissioner District 4

### 2. INVOCATION

Led by Pastor Terry Melancon, of Come and See Friends Church.

### 3. PLEDGE OF ALLEGIANCE

Led by Commissioner At-Large/Mayor Pro Tem Thelma Bowie.

### 4. PROCLAMATIONS AND PRESENTATIONS

#### a. Promotions from Firefighter to Engineer:

Donald Mack  
David Milling  
Savana Schroeder  
Austin Staner

David Zacherl, Fire Chief, promoted each individual and presented them with a plaque. Their special guest pinned their new badges.

### 5. REPORTS

#### a. Senior Citizens Program (Recreation and Tourism)

Leonora Mendez, Senior Program Coordinator, gave a PowerPoint presentation. (See recording)

6. PUBLIC COMMENTS

Matthew Bonner, resident, spoke before City Commission.

Evelyn A. Kelemen, resident, spoke before City Commission.

Jose Boix, resident, spoke before City Commission.

7. CONSENT AGENDA

- a. Approve City Commission Minutes for May 15, 2024 Regular Called Meeting and the May 15, 2024 Special Called Meeting. (City Secretary)

Motion by Commissioner At-Large Abel Garza, Jr., Seconded by Commissioner District 1 DeAndre' Knoxson

**Vote: 7 - 0 CARRIED**

- b. Consider and take action on Resolution No. 2024-072, appointing member(s) to fill vacancies to the Lago Mar Development Authority and TIRZ No. 1 Board of Directors. (City Secretary)

Motion by Commissioner At-Large Abel Garza, Jr., Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie to appoint Felix Herrera

**Vote: 7 - 0 CARRIED**

8. REGULAR ITEMS

- a. Consider and take action on the third and final reading of Ordinance No. 2024-14, amending Chapter 96 "Fire Prevention and Protection: Fireworks" related to adoption of the 2024 International Fire Code and including amendments of certain sections. (Fire Department)

David Zacherl, stated Texas City has a need to adopt the newest version of the International Fire Code, Edition 2024, which has just been released and ensure that the previous amendments made that relate to our particular circumstances(s) are maintained. Adoption is requested to ensure that construction of new development is compliant with up-to-date industry standards concerning life safety and health.

Motion by Commissioner At-Large Abel Garza, Jr., Seconded by Commissioner District 4 Jami Clark

**Vote: 7 - 0 CARRIED**

- b. Consider and take action on Resolution No. 2024-071, members of the City Commission shall elect one of their members to serve as mayor pro tem, in accordance with Article III, Section 2 of the Texas City Charter. (City Secretary)

Per the Texas City Charter Article III, Section 2, the members of the city commission shall elect one of their members to serve as mayor pro tem, and he/she shall perform all the duties of the mayor in his/her absence or disability. The mayor shall preside at meetings of the commission and shall exercise such other powers and perform such other duties as are or



may be conferred and imposed upon him/her by this Charter and the ordinances of the city. The mayor shall serve as the chief executive officer of the city. He/she shall be recognized as the head of the city government for all ceremonial purposes, by the courts for serving civil processes, and by the governor for purposes of military law. In the time of public danger or emergency, the mayor shall take command of the police, maintain order and enforce the law. If a vacancy occurs in the office of mayor, or in the case of his absence or disability, the mayor pro tem shall act as mayor until a successor is elected or appointed and has qualified. (Ord. 19-31, passed 11-18-2019)

Motion by Commissioner District 1 DeAndre' Knoxson, Seconded by Commissioner District 4 Jami Clark

**Vote: 7 - 0 CARRIED**

- c. Consider and take action on Ordinance No. 2024-15, for KB Homes to satisfy the requirements of the Vida Costera PUD Affirmation. (Transportation and Planning)

Kime Golden, City Engineer, stated that this is the ordinance to confirm and make final the rezoning of 49.89 acres on S.H. 3 from District A - Single Family Residential to District I - Planned Unit Development. The rezoning is requested by KBHomes. The City Commission held a public hearing and gave the requested rezoning its preliminary zoning approval at its regular meeting on May 1, 2024 (6-0).

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 1 DeAndre' Knoxson

**Vote: 7 - 0 CARRIED**

- d. Consider and take action on Ordinance No. 2024-16, amending the fiscal year 2023-2024 budget for new HVAC units at the Sanders Center and Carver Center. Funds in the amount of \$150,000 will be moved from the General Fund 101-000-39000 to GF R & T Maintenance - Building 101-401-53540. (Finance)

Ryan McClellan, Assistant Director of Finance, stated Resolution No. 2024-068 approved the replacement of the HVAC units at the Sanders and Carver Centers. This budget amendment is to appropriate funds for the needed replacements. Each unit will be \$75,000 each for a total of \$150,000.

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner District 2 Keith Love

**Vote: 7 - 0 CARRIED**

9. COMMISSIONERS' COMMENTS

See Video Recording

10. MAYOR'S COMMENTS

See Video Recording

11. ADJOURNMENT

Having no further business, Commissioner At-Large Abel Garza, Jr. made a MOTION to ADJOURN at 5:45 p.m.; the motion was SECONDED by Commissioner District 4 Jami Clark. All present voted AYE. MOTION CARRIED.

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DEDRICK D. JOHNSON, MAYOR

ATTEST:

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Rhomari Leigh, City Secretary  
Date Approved:

AI-7312

(8) (b)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

Purchase and Installation of 5 Blower Soft Starter Panel and Disconnects

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

**Department:** Public Works

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**Information**

**ACTION REQUEST**

Approve the purchase of 5 soft starter panels and disconnects for reactor aeration blowers at the Wastewater Treatment Plant.

**BACKGROUND (Brief Summary)**

An issue has arisen with the initial load draw on the reactor aeration blowers at start up under emergency generator power requiring 5 soft starter panels and disconnects. The total cost for these will be \$55,000 and funds are made available via the City of Texas City 2023/2024 Annual Budget (account number 501702-53440). A quote for this improvement, from K2 Services, City contract # 2021-092, is attached for your review.

**RECOMMENDATION**

It is the recommendation of the Public Works Department that the purchase of the soft start panel and disconnects be approved by the City Commission.

Thank you.

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**Fiscal Impact**

**Attachments**

Exhibit A  
Resolution

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**K2 Services, Ilc**

24200 Southwest Fwy Ste 402-357  
Rosenberg, TX 77471  
(832) 382-3434  
Sales@k2svc.com  
www.k2svc.com



**Estimate**

ADDRESS	SHIP TO	SHIP VIA	Best Way, Allowed	ESTIMATE	1883
Calvin Bremer	Calvin Bremer			DATE	05/30/2024
Texas City, C/O - Wastewater	Texas City, C/O - Wastewater			EXPIRATION	06/29/2024
Department	Department			DATE	
1801 9th Avenue North	3901 Bay Street Extension				
Texas City, TX 77590	Texas City, TX 77590				
United States	United States				

K2 SVC SO#	LOCATION
11067	STPAB106-110

DATE	ITEM / DESCRIPTION	QTY	RATE	AMOUNT
	Equipment, New City of Texas City Blower Soft Starter Panel	5	11,000.00	55,000.00
	Features: - (1) NEMA type 4X 304 SS wall mount enclosure, 3-point latch (Pad lockable) - (1) SqD ATS soft starter (SSRV), 75HP 480/3 - (1) SqD non-fused disconnect with external padlockable handle - (LOT) Misc: duct, din wire, labels, nameplates, terminal blocks, etc.			
	Programming: - SSRV setup and programming included - All HMI & SCADA modifications are excluded			
	Startup: - Startup is quoted as (1) trip, not to exceed (1) 2-hour on site visit immediately to follow install.			
	Training: - Operator training is included as (1) trip, not to exceed (1) 2-hour on site visit.			

SUBTOTAL	55,000.00
TAX	0.00
<b>TOTAL</b>	<b>\$55,000.00</b>

Accepted By

Accepted Date

**RESOLUTION NO. 2024-073**

**A RESOLUTION APPROVING THE PURCHASE OF FIVE (5) SOFT STARTER PANELS AND DISCONNECTS FOR REACTOR AERATION BLOWERS AT THE WASTEWATER TREATMENT PLANT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, the Public Works Department desires to purchase reactor aeration blowers for the Wastewater Treatment Plant; and

**WHEREAS**, an issue has arisen with the initial load draw on the reactor aeration blowers at start up under emergency generator power requiring 5 soft starter panels and disconnects; and

**WHEREAS**, The total cost for these will be \$55,000.00, and funds are made available via the City of Texas City 2023/2024 Annual Budget (account number 501702-53440).

**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 approves the purchase of reactor aeration blowers for the Wastewater Treatment Plant for \$130,000.00 as attached hereto as **Exhibit “A”** and made part thereof.

**SECTION 2:** That this equipment is to be utilized by the Wastewater Treatment Plant.

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

**PASSED AND ADOPTED this 18th day of June 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

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Rhomari D. Leigh  
City Secretary

---

Kyle L. Dickson  
City Attorney

AI-7313

(8) (c)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

Bid No. 2024-010 Laboratory Testing At The Wastewater Treatment Plant Annual Contract

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

**Department:** Public Works

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**Information**

**ACTION REQUEST**

Approve and award a contract for Bid # 2024-010 Laboratory Testing at the Wastewater Treatment Plant Annual Contract.

**BACKGROUND (Brief Summary)**

A notice to bidders was published in the Galveston County Daily News on May 16th and 23rd of 2024, and bid packets were made available to local area vendors. The bids were opened and read aloud on May 30, 2024, and the lowest responsible bidder overall was Envirodyne Laboratories, Inc. from Houston Tx.

Funds are made available via the City of Texas City 2023/2024 Annual Budget (501703-53440). This is an annual contract and there are no guaranteed minimum or maximum purchases.

A bid tabulation is attached for your review.

**RECOMMENDATION**

It is the recommendation of the Public Works Department to award Bid # 2024-010 Laboratory Testing At The Wastewater Treatment Plant Annual Contract to Envirodyne Laboratories, Inc. for the unit prices bid and that the Mayor is authorized to execute a contract on behalf of the City Commission.

Thank you.

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**Fiscal Impact**

**Attachments**

Exhibit A  
Resolution

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# City of Texas City

## BID TABULATION

### 2024-010 LABORATORY TESTING AT THE WASTEWATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Thursday, May 30, 2024 at 10:00 a.m.

#### EFFLUENT

<u>Vendor</u>	Envirodyne	Eurofins
1.C-BOD-5 Unit	\$24.00	\$28.00
Annual	\$8,760.00	\$10,220.00
2. TSS Unit	\$12.00	\$15.00
Annual	\$4,380.00	\$5,475.00
3. NH3-N Unit	\$18.00	\$18.00
Annual	\$6,570.00	\$6,570.00
4. BioMonitor. Chr. Unit	\$800.00	\$1,800.00
Annual	\$3,200.00	\$7,200.00
5. BioMonitor. Acute Unit	\$250.00	\$1,000.00
Annual	\$500.00	\$2,000.00
6. Enterococci Unit	\$26.00	\$23.00
Annual	\$6,760.00	\$5,980.00



# City of Texas City

## BID TABULATION

### 2024-010 LABORATORY TESTING AT THE WASTEWATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Thursday, May 30, 2024 at 10:00 a.m.

#### INFLUENT

<u>VENDOR</u>	Environdyne	Eurofins
1.C-BOD-5 Unit	\$24.00	\$28.00
Annual	\$5,040.00	\$5,880.00
2. TSS Unit	\$15.00	\$15.00
Annual	\$3,150.00	\$3,150.00
3. NH3-N Unit	\$18.00	\$18.00
Annual	\$3,780.00	\$3,780.00

# City of Texas City

## BID TABULATION

### 2024-010 LABORATORY TESTING AT THE WASTEWATER TREATMENT PLANT ANNUAL CONTRACT

Bid Opening: Thursday, May 30, 2024 at 10:00 a.m.

### SLUDGE (CLASS A &B)

<b>Vendor</b>	<b>Envirodyne</b>	<b>Eurofins</b>		
1.Fecal Coliform Unit	\$125.00	\$23.00		
Annual	\$750.00	\$138.00		
2. Metals Unit	\$350.00	\$85.00		
Annual	\$2,100.00	\$510.00		
3. Full TCLP Unit	\$800.00	\$585.00		
Annual	\$800.00	\$585.00		
4. PCB Unit	\$90.00	\$50.00		
Annual	\$90.00	\$50.00		
5. RCI Unit	\$150.00	\$90.00		
Annual	\$150.00	\$90.00		
6. Paint Filter Testing Unit	\$15.00	\$25.00		
Annual	\$15.00	\$25.00		

**City of Texas City**

**BID TABULATION**

**2024-010 LABORATORY TESTING AT THE WASTEWATER TREATMENT PLANT ANNUAL CONTRACT**

Bid Opening: Thursday, May 30, 2024 at 10:00 a.m.

<b>Vendor</b>	<b>Envirodyne</b>	<b>Eurofins</b>		
<b>Total Annual</b>	<b>\$46,045.00</b>	\$51,653.00		

**RESOLUTION NO. 2024-074**

**A RESOLUTION AWARDED BID NO. 2024-010 AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE REMOVAL OF DEBRIS FROM THE CITY'S WASTEWATER TREATMENT PLANT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, bids were mailed to local area vendors on May 16th, and May 23rd 2024, for Bid No. 2024-010 for the removal of debris from the Wastewater Treatment Plant; and,

**WHEREAS**, bids were opened on May 30, 2024, and the lowest bid meeting specifications was received from Envirodyne Laboratories, Inc., in Houston, Texas, as set out on the bid tabulation attached hereto as **Exhibit "A"** and made a part hereof for all intents and purposes.

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

**SECTION 1:** That the City Commission hereby accepts the contract by Envirodyne Laboratories, Inc., for the removal of debris from the Treatment Plant Annual Contract.

**SECTION 2:** That the Mayor is hereby authorized to enter into a contract with Envirodyne Laboratories, Inc, for the removal of debris from the Treatment Plant Annual Contract.

**SECTION 3:** That the Mayor is hereby authorized to approve change orders, not to exceed twenty-five (25%) of the total contract amount, without bringing the matter before the City Commission.

**SECTION 4:** This Resolution shall be in full force and effect from and after its passage and adoption.

**PASSED AND ADOPTED this 18th day of June 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Rhomari D. Leigh  
City Secretary

\_\_\_\_\_  
Kyle L. Dickson  
City Attorney

AI-7321

(8) (d)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

**Submitted By:** Rhomari Leigh, City Secretary

**Department:** City Secretary

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**Information**

**ACTION REQUEST**

Consider and take action on Resolution No. 2024-75, appointing members to various boards, committees, and advisories. (City Secretary)

**BACKGROUND (Brief Summary)**

With new Commission members taking office, several advisory positions were vacated and must now be appointed.

Gary Potter also resigned from the Zoning Commission.

**RECOMMENDATION**

To appoint Commissioner District 1 DeAndre Knoxson and Commissioner At-Large Abel Garza, Jr. to the Audit Committee and Felix Herrera to the Zoning Commission.

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**Fiscal Impact**

**Attachments**

Resolution  
attachment

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**RESOLUTION NO. 2024-075**

**A RESOLUTION APPOINTING AND/OR REAPPOINTING BOARD MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, with new City Commission members taking office, several advisory positions were vacated and must now be appointed; and

**WHEREAS**, a vacated position on the Zoning Commission must be filled to ensure that the city's business is uninterrupted.

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

**SECTION 1:** Rhomari Leigh, City Secretary, and Mayor Dedrick D. Johnson recommend appointing Commissioner District 1 DeAndre Knoxson and Commissioner At-Large Abel Garza, Jr. to the Audit Committee, and Felix Herrera to the Zoning Commission outlined in **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 18th day of June 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Rhomari D. Leigh  
City Secretary

\_\_\_\_\_  
Kyle L. Dickson  
City Attorney

BOARDS, COMMISSIONS, COMMITTEES, AND CORPORATION APPOINTEES					
Boards	Appointee Name	Appointed	Date Reappointed	Term Expires	Notes
<b>Animal Service Advisory Committee- Mayor Only</b> apt. made by Aug. 1st of each term. Committee consists of a minimum of 11 and not more than 18 members to represent each city who is party to the Animal Service Interlocal Agreement.					
Animal Services Advisory Committee	Abel Garza, Jr. - Representative			9/30/2024	
Animal Services Advisory Committee	Jennifer Price- Alternate			9/30/2024	
<b>Audit Committee- Three (3) members-- City Commissioners. Two year term. Meets on as needed basis, at least once a year</b>					
Audit Committee	Jami Clark			10/1/2024	
Audit Committee	DeAndre Knoxson			10/1/2024	
Audit Committee	Abel Garza, Jr.			10/1/2024	
<b>Bayou Golf Course Advisory Board- Seven (7) members. Two year term. Meetings are held on the 2nd Thursday of every other month at the Golf Course.</b>					
Bayou Golf Course Advisory Board	Morris Wisdom			9/30/2025	
Bayou Golf Course Advisory Board	Abel Garza Jr.			9/30/2024	
Bayou Golf Course Advisory Board	Daryl Stewart			9/30/2024	
Bayou Golf Course Advisory Board	Jenny Senter			9/30/2024	
Bayou Golf Course Advisory Board	Don Van Alstyne			9/30/2025	
Bayou Golf Course Advisory Board	Robin Rossman			9/30/2024	
Bayou Golf Course Advisory Board	Paul Gonzalez			9/30/2025	
<b>Board of Adjustments Building &amp; Structure- Five (5) members, One (1) member may be a member of the City Planning Board or Zoning Commission, provided that the appointment of any member of the City Planning Board or Zoning Commission shall be for his term of offices as such only. Two (2) years. Second (2nd) and Fourth (4th) Tuesdays at 5:15pm</b>					
Board of Adjustments B & S	Aric Owens			9/30/2025	
Board of Adjustments B & S	James McWhorter			9/30/2024	
Board of Adjustments B & S	George W. Faust			9/30/2024	
Board of Adjustments B & S	Patrick Tarpey			9/30/2025	
Board of Adjustments B & S	Harvey Cappel			9/30/2024	
Board of Adjustments B & S (Alternate)	Lisa Salinas				
Board of Adjustments B & S (Alternate)	Bryan Thompson				
Board of Adjustments B & S (Alternate)	VACANT				
Board of Adjustments B & S (Alternate)	VACANT				
<b>Civil Service- Three (3) members appointed by Mayor and confirmed by City Commission. Members must have resided in City for a period in excess of three years and not held and public office within the preceding three years. Three (3) years terms. (Members shall serves staggered three (3) year terms with the term of one (1) member expiring each year. A member may be re-appointed for a new three year term. Meetings are held every January and as required.</b>					
Civil Service	Gina Gilmore			9/30/2024	
Civil Service	Lacy Fleshman			9/30/2026	
Civil Service	Yolanda Mejia			9/30/2024	
Civil Service	Jennifer Price- Director				
Civil Service	Anete Schmidt- ALT Director				
Civil Service	Kyle Dickson- City Attorney				
<b>Houston- Galveston Area Council- General Assembly and Board of Directors- 1 year term</b>					
Houston- Galveston Area Council	Jami Clark, Representative			1/1/2025	
Houston- Galveston Area Council	Dedrick Johnson, Alternate			1/1/2025	
<b>Housing Authority- Five (5) members. Staggered terms: Reappointments are for terms of 2 years. Meetings are held on the 2nd Tuesday of each month at 6:59 pm. (The meeting date change from 3rd Thursday of each month to the 2nd Thursday was made because of a change in by-laws in 1996/1997.)</b>					
Housing Authority	Joyce Dunn			9/30/2025	
Housing Authority	Elida Matthews			9/30/2024	
Housing Authority	Nelson Juarez			9/30/2024	
Housing Authority	Warren Reed			9/30/2024	Res 2023-034
Housing Authority	Kyle Dickson			9/30/2025	
<b>Library Board- Nine (9) members appointed by Mayor and confirmed by City commission. Three (3) years, to be staggered; 3 members to be appointed for 1 year; 3 members to be appointed 2 years and 3 to be appointed 3 years. After the 1st year appointments will be for 3 years. Meetings will be held bi-monthly, (Feb., April, June, Aug., Oct., and Dec.). The meetings are held the 4th Monday.</b>					
Library Board	Brandon Johnson			9/30/2025	
Library Board	Danica Surman			9/30/2025	
Library Board	Shirley Mapps			9/30/2025	
Library Board	Deana Rack			9/30/2024	
Library Board	Stephanie Doyle			9/30/2024	
Library Board	Donna Steele			9/30/2026	
Library Board	Jill Halasz			9/30/2026	
Library Board	Dr. Lynn Ellison			9/30/2025	
Library Board	Christina Bergvall			9/30/2024	
<b>Planning Board- Five (5) members. One of the members of the planning board shall be the Mayor, another shall be a member of the Commission designated by the Commission upon recommendation of the Mayor. Each member appointed shall be appointed for a term of four (4) years. meets 2nd and 4th Mondays at 5:00pm</b>					
Planning Board	Jami Clark			9/30/2025	
Planning Board	Perry O'Brien			9/30/2027	
Planning Board	Jayla Weatherspoon			9/30/2026	
Planning Board	R.D. "Dickey" Campbell			9/30/2027	
Planning Board	Thelma Bowie			9/30/2024	
Planning Board (Alternate)	Aric Owens				
Planning Board (Alternate)	Jose Boix				
<b>Public Facilities Development Corporation- Five (5) directors will serve three (3) year staggered terms. No limit on number of terms. Each director shall hold office for the term for which he is appointed and until his successor shall have appointed and qualified unless sooner removed. Meetings are held as required.</b>					
Public Facilities Development Corp.	Judith Silva		9/20/2023	9/30/2024	
Public Facilities Development Corp.	Randy Dietel			9/30/2026	
Public Facilities Development Corp.	William T. Etheredge			9/30/2025	
Public Facilities Development Corp.	John Hackbarth			9/30/2026	
Public Facilities Development Corp.	Rev. Jerry Lee			9/30/2026	
<b>Recreation &amp; Tourism Board- Nine (9) members; three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Each member appointed after the first year shall be appointed for a term of three years. Three (3) years, staggered terms.</b>					
Recreation & Tourism Board	Frank Mistretta			9/30/2025	
Recreation & Tourism Board	Teri O'Brien			9/30/2025	
Recreation & Tourism Board	Brenda Williams			9/30/2024	
Recreation & Tourism Board	Paul Bland			9/30/2026	
Recreation & Tourism Board	Susan "Sam" Myers			9/30/2024	
Recreation & Tourism Board	Natalie Ramirez		9/30/2023	9/30/2024	
Recreation & Tourism Board	Chris Delesandri			9/30/2024	
Recreation & Tourism Board	Winifred Gilmore			9/30/2026	
Recreation & Tourism Board	Hortensia "Tish" Hart			9/30/2024	
<b>Texas City Cultural Arts Foundation- The number of directors constituting the initial Board of Directors is five (5), and the terms of office shall be three (3) years.</b>					
Texas City Cultural Arts Foundation	Staneisha Lee			9/30/2026	
Texas City Cultural Arts Foundation	Mark Lyon			9/30/2024	
Texas City Cultural Arts Foundation	John Branstetter			9/30/2026	
Texas City Cultural Arts Foundation	Katina Gilmore			9/30/2026	
Texas City Cultural Arts Foundation	Dayna Perren			9/30/2024	
<b>Texas City Economic Development- Meetings are held as needed; at a minimum, there will be an annual meeting (with no specific month set). That each member of the Board of Directors shall serve for all 3-year staggered terms. That there are no limits to the number of terms Board Members may serve. Allow for Mayor and the City Commission to appoint non-voting advisors to serve on the board.</b>					
Texas City Economic Development	Dedrick Johnson, Sr.			9/30/2024	
Texas City Economic Development	Mark Ciavaglia			9/30/2025	
Texas City Economic Development	Randy Dietel			9/30/2026	
Texas City Economic Development	Phil Roberts			9/30/2024	
Texas City Economic Development	Teresa Poston		9/20/2023	9/30/2026	
Texas City Economic Development	Tim Culp (Advisory)				
Texas City Economic Development	Melissa Duarte (Advisory)				
Texas City Economic Development	Carla Voelkel (Advisory)				
Texas City Economic Development	Amy Reid (Advisory)				
<b>Texas City Harbour Foreign Trade Zone Corporations- The number of directors constituting the initial Board of Directors is five (5), and the terms of office shall be three (3) years staggered. There are no limits to the number of consecutive Board members may serve.</b>					
Texas City Industrial Development	Judith Silva		9/20/2023	9/30/2024	
Texas City Harbour Foreign Trade Zone (TCHFTZ)	Randy Dietel			9/30/2026	
Texas City Harbour Foreign Trade Zone (TCHFTZ)	William T. Etheredge			9/30/2025	
Texas City Harbour Foreign Trade Zone (TCHFTZ)	John Hackbarth			9/30/2026	
Texas City Harbour Foreign Trade Zone (TCHFTZ)	Rev. Jerry Lee			9/30/2026	
<b>Texas City Historical Preservation Corporation- The number of directors constituting the initial Board of Directors is seven (7) and the terms of office shall be three (3) years staggered.</b>					
Texas City Historical Preservation Corp.	Margaret Tuma			9/30/2026	
Texas City Historical Preservation Corp.	Susan Dunn		9/20/2023	9/30/2026	
Texas City Historical Preservation Corp.	Teri O'Brien			9/30/2024	
Texas City Historical Preservation Corp.	Jose Boix			9/30/2026	
Texas City Historical Preservation Corp.	Ridawna Sneed			9/30/2025	
Texas City Historical Preservation Corp.	Alfy Mayes			9/30/2026	
Texas City Historical Preservation Corp.	Lacey Fleshman			9/30/2024	
<b>Texas City Housing Finance Corporation- Five (5) directors shall serve for a term of three (3) years staggered.</b>					
Texas City Industrial Development	Judith Silva		9/20/2023	9/30/2024	
Texas City Housing Finance Corp.	Randy Dietel			9/30/2026	
Texas City Housing Finance Corp.	William T. Etheredge			9/30/2025	
Texas City Housing Finance Corp.	John Hackbarth			9/30/2026	
Texas City Housing Finance Corp.	Rev. Jerry Lee			9/30/2026	
<b>Texas City Industrial Development- Five (5) members; three (3) year terms, or until a successor appointed. That there are no limits to the number of consecutive terms Board members may serve.</b>					
Texas City Industrial Development	Judith Silva		9/20/2023	9/30/2024	
Texas City Industrial Development	Randy Dietel			9/30/2026	
Texas City Industrial Development	William T. Etheredge			9/30/2025	
Texas City Industrial Development	John Hackbarth			9/30/2026	
Texas City Industrial Development	Rev. Jerry Lee			9/30/2026	
<b>TIRZ Number One Board- Seven (7) member panel; two (2) year staggered terms. Position 1 serves as Chair; must be appointed annually.</b>					
TIRZ Number One Board- Lago Mar Dev. A	Chris Doyle, Pos. 1 Chairma	COTC Designee		9/30/2024	
TIRZ Number One Board- Lago Mar Dev. A	Donald Gartman, Pos. 2	COM Designee		9/30/2024	
TIRZ Number One Board- Lago Mar Dev. A	James Torres, Pos. 3	COTC Designee		9/30/2025	
TIRZ Number One Board- Lago Mar Dev. A	Felix Herrera, Pos. 4	COTC Designee		9/30/2026	
TIRZ Number One Board- Lago Mar Dev. A	Rick Wilkenfeld, Pos. 5	GC Designee		9/30/2023	
TIRZ Number One Board- Lago Mar Dev. A	Genie Jennings, Pos. 6	COTC Designee		9/30/2024	
TIRZ Number One Board- Lago Mar Dev. A	Stephen Holmes, Pos. 7	GC Designee		9/30/2023	
<b>Lago Mar Dev. Authority- Seven (7) member panel. Automatic to match TIRZ #1 Board</b>					
Lago Mar Dev. Authority	Chris Doyle, Pos. 1 Chairma	COTC Designee		9/30/2024	
Lago Mar Dev. Authority	Donald Gartman, Pos. 2	COM Designee		9/30/2024	
Lago Mar Dev. Authority	James Torres, Pos. 3	COTC Designee		9/30/2025	
Lago Mar Dev. Authority	Felix Herrera, Pos. 4	COTC Designee		9/30/2026	
Lago Mar Dev. Authority	Rick Wilkenfeld, Pos. 5	GC Designee		9/30/2023	
Lago Mar Dev. Authority	Genie Jennings, Pos. 6	COTC Designee		9/30/2024	
Lago Mar Dev. Authority	Stephen Holmes, Pos. 7	GC Designee		9/30/2023	
<b>Zoning Commission- Five (5) members. Initially, two (2) members shall be appointed for a term of one (1) year and three (3) members for a term of two (2) years. Thereafter, all appointments shall be for a term of two (2) years. (Meets 1st and 3rd Tuesday)</b>					
Zoning Commission	Perry O'Brien			9/30/2025	
Zoning Commission	Thelma Bowie			9/30/2024	
Zoning Commission	Fernando Tello			9/30/2024	
Zoning Commission	Aric Owens			9/30/2025	
Zoning Commission	Felix Herrera			9/30/2025	
Zoning Commission- Alternate	Jayla Weatherspoon			9/30/2025	
Zoning Commission- Alternate	Lisa Autrey-Salinas			9/30/2025	
<b>Southeast Texas Housing Finance Corporation- the City appoints a representative to serve on the Board of Directors for a term of three (3) years</b>					
SE Texas Housing Finance Corp	Georgina Meyer			10/1/2023	Res. 18-107
<b>Galveston Central Appraisal District- the City will nominate and cast votes in the election to appoint members to the Galveston Central Appraisal District Board of Directors. Appointments shall serve two (2) year terms.</b>					
Galveston Central Appraisal District	Matt Doyle- Nominee		9/6/2023	12/31/2025	Res. 2023-103
<b>Gulf Coast Transit District Board of Directors- the City appoints a representative and alternate to serve on the Board of Directors for a term of two (2) years</b>					
GC Transit Board of Directors	Thelma Bowie- Representative			12/31/2024	Res 21-001
GC Transit Board of Directors	Kim Golden- Alternate		9/21/2022	12/31/2024	Res 21-001
<b>CDBG Citizen Advisory Committee- members are appointed by the Mayor and are limited to two 3-year terms</b>					
CDBG Citizen Advisory Committee	Tamesha Hampton			3/20/2024	Res 2024-045
CDBG Citizen Advisory Committee	Chris Sharp			9/30/2026	Res 2023-084
CDBG Citizen Advisory Committee	Faleisha Mason			9/30/2024	Res 21-053
CDBG Citizen Advisory Committee	Nakisha Paul			9/30/2024	Res 21-053
CDBG Citizen Advisory Committee	Elias Ramirez			9/30/2026	Res 2023-084
CDBG Citizen Advisory Committee	Ruth Ann Sandino			9/30/2026	Res 2023-084
CDBG Citizen Advisory Committee	Fernando Tello			9/30/2026	Res 2023-084
CDBG Citizen Advisory Committee	Kenshara Cravens			9/30/2024	Res 21-053
<b>Keep TC Beautiful- members are appointed by the Mayor and are limited to two 3-year terms</b>					
Keep TC Beautiful	Tamesha Hampton			3/20/2024	Res 2024-045
Keep TC Beautiful	Chris Sharp			9/30/2026	Res 2023-084
Keep TC Beautiful	Faleisha Mason			9/30/2024	Res 22-032
Keep TC Beautiful	Nakisha Paul			9/30/2024	Res 22-032
Keep TC Beautiful	Elias Ramirez			9/30/2026	Res 2023-084
Keep TC Beautiful	Ruth Ann Sandino			9/30/2026	Res 2023-084
Keep TC Beautiful	Fernando Tello			9/30/2026	Res 2023-084
Keep TC Beautiful	Kenshara Cravens			9/30/2024	Res 22-032

AI-7323

(8) (e)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

Purchase and Installation of Heaters in the Belt Press Building

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

**Department:** Public Works

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**Information**

**ACTION REQUEST**

Approve the purchase and installation of heaters in the belt press room of the Wastewater Treatment Plant.

**BACKGROUND (Brief Summary)**

The heaters in the belt press room of the Wastewater Treatment Plant are in need of replacement. A quote from Gowan-Garrett, Inc., in Houston Tx., is attached for your review. Gowan-Garrett, Inc. is a member of the Choice Partners purchasing cooperative, contract number 22/049MF-10, and the City has used them on several occasions with excellent results. The total price for the eight (8) heaters and installation is \$96,333.00 and funds are made available via the City of Texas City 2023/2024 Annual Budget, account number 501703 55360.

**RECOMMENDATION**

It is the recommendation of the Public Works Department that the City Commission approve this purchase and that the Mayor authorized to enter into a contract on behalf of the City Commission.

Thank you.

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**Fiscal Impact**

**Attachments**

Exhibit A  
Resolution

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**GOWAN-GARRETT INC.** (AN EMCOR CO.)  
MECHANICAL | PLUMBING

Gowan, Inc.  
mfizek@gowaninc.com  
5550 Airline Dr.  
Houston, TX 77076-4998  
Cell: 713-542-6426  
Office: 713-696-5404  
Fax: 713.237.9208  
TACLA17399C.MPL 37572

Date: June 12, 2024

**TO:** City of Texas City  
Wastewater  
Bay Street Ext  
Texas City, Texas 77590

**Quote** 12400

**ATTENTION:** Richard Chacon

Choice Partners 22/049MF-10



**RE: Wastewater Heaters**

Gowan will supply the labor, tools, equipment and supervision to replace eight (8) heaters in the Main Building Plant. Texas City to provide Electrician. The work will be performed on Gowan's regular work hours.

**Equipment being replaced:**

- 4- Horizontal Ceiling Hung Modine Electric Heaters 40kw
- 4 – Wall Mounted Vertical Modine Electric Heaters -15 kw

**Scope of work: (4-Horizontal Heaters)**

- Lock Out Electrical to each Heater, One at a Time
- Have Texas City Electricians disconnect the electrical from heater
- Using JLG lift, Remove existing Heater from hangers
- Replace 4 hanger rods and beam clams for new heater installation
- Set new heater and have Texas City Electrician connect electrical
- Run new thermostat wire and set new thermostat
- Remove LOTO and test operation
- Repeat steps until 4 heaters are replaced

**Scope of work: (4-Vertical Heaters)**

- Lock Out Electrical to each Heater, One at a Time
- Have Texas City Electricians disconnect the electrical from heater
- Using Scissor lift, Remove existing Heater from wall mount
- Clean wall mount bracket and/ or replace if necessary
- Set new heater and have Texas City Electrician connect electrical
- Run new thermostat wire and set new thermostat
- Remove LOTO and test operation
- Repeat steps until 4 heaters are replaced

**Base: \$96,333.00 Plus tax if applicable**  
**Price: 4 Vertical Heaters \$30,838.00, 4-Horizontal Heaters \$65,495.00**

- Exclusions**  
(if checked)
- Insulation beyond point listed
  - Detail Construction Drawings
  - Patching, Painting, & Signage
  - Electrical
  - Any work not outlined above
  - Other, Overtime Labor

With the signature below we hereby authorize *Gowan, Inc.* to proceed with the above described work.  
The price is firm and will remain in effect for 10 days

**GOWAN/GARRETT**

\_\_\_\_\_

\_\_\_\_\_ *Nathan Fizel* \_\_\_\_\_  
Nathan Fizel  
Account Manager

**TITLE:** \_\_\_\_\_

This proposal is "Regulated by The Texas Department of Licensing and Regulation", P. O. Box 12157, Austin, Texas 78711,  
1.800.803.9202, 512.463.6599,

Gowan, Inc.  
Payment Terms and Conditions of Sale

1. **PAYMENT AND TAXES**-Payment shall be made 45 days from date of invoice. Gowan reserves the right to require cash payment or other alternative method of payment prior to completion of work if Gowan determines, in its sole discretion, that Customer or Customer's assignee's financial condition at any time does not justify continuance of the net 45 days payment term, in addition to the Agreement price, the Customer shall pay Gowan any applicable taxes or government charges that may be required in connection with the service or material furnished under this Agreement.

2. **WORKING HOURS-** All services performed under this Agreement including major repairs to be provided during Gowan's normal working hours unless otherwise agreed.
3. **ADDITIONAL SERVICE-** Services or parts requested by Customer in addition to those specified in this Agreement will be provided upon receipt of Customer's written authorization and invoiced at Gowan's prevailing labor rates and parts charges. Additional services or parts shall be supplied under the terms of this Agreement.
4. **EXCLUSIONS-** Gowan is not responsible for items not normally subject to mechanical maintenance including but not limited to duct work, casings, cabinets, fixtures, structural supports, grillage, water piping, steam piping, drain piping, cooling tower fill, boiler tubes, boiler refractory, disconnect switches and circuit breakers. Gowan is not responsible for repairs, replacements, alterations, additions, adjustments, repairs by others, unscheduled calls or emergency calls, any of which may be necessitated by negligent operation, abuse, misuse, prior improper maintenance, vandalism, obsolescence, building system design, damage due to freezing weather, chemical/ electrochemical attack, corrosion, erosion, deterioration due to unusual wear and tear, any damage related to the presence of mold, fungi, mildew or bacteria, damage caused by power reductions or failures or any other cause beyond Gowan's control.

Gowan is not responsible for the identification, detection, abatement, encapsulating or removal of asbestos, products or materials containing asbestos, similar hazardous substances or mold, fungi, mildew or bacteria. In the event that Gowan encounters any asbestos product or any hazardous material in the course of performing its work, Gowan may suspend its work and remove its employees from the project until such product or material, and any hazards connected with it, are abated. Gowan shall receive an extension of time to complete its work and compensation for delays encountered as a result of such situation and its correction.

Gowan shall not be required to perform tests, install any items of equipment or make modifications that may be recommended or directed by insurance companies, government, state, municipal or other authority. However, in the event any such recommendations occur, Gowan, at its option, may submit a proposal for Customer's consideration in addition to this Agreement. Gowan shall not be required to repair or replace equipment that has not been properly maintained.

5. **WARRANTY-**Gowan warrants that all service provided under this Agreement shall be performed in a workmanlike manner. Gowan also warrants all Gowan parts or components supplied hereunder to be free from defects in materials and workmanship. For parts or components determined to be defective within one year from date of installation or before the termination date of this Agreement, whichever is earlier, and in the case of service, determined to be defective within ninety (90) days of completion of that service, Gowan shall at its option repair, replace, or issue a credit, for any such parts, components or service, provided they were not damaged, abused, or affected by chemical properties. Gowan shall not be liable for repairs required as a consequence of faulty installation by persons other than Gowan, misapplication, abuse, improper servicing, unauthorized alteration or improper operation by persons other than Gowan. Any claim for defective workmanship must be provided to Gowan in writing. **THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS, IMPLIED OR STATUTORY INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.** Gowan's obligations to repair, replace or issue credit for any defective parts, components or service shall be Customer's exclusive remedy.
6. **PROPRIETARY RIGHTS-** During the term of this Agreement and in combination with certain services, Gowan may elect to install, attach to Customer equipment, or provide portable devices (hardware and/or software) that shall remain the personal proprietary property of Gowan. No devices installed, attached to real property or portable device(s) shall become a fixture of the Customer locations. Customer shall not acquire any interest, title or equity in any hardware,

software, processes, and other intellectual or proprietary rights to devices that are used in connection with providing service on Customer equipment.

7. **DELAYS-** Delays caused by conditions beyond the reasonable control of either party shall not be the liability of either party to this Agreement.
  
8. **CUSTOMER RESPONSIBILITIES-** Customer shall:
  - ❖ Provide safe and reasonable equipment access and a safe work environment
  - ❖ Permit access to Customer's site, and use of building services including but not limited to water, elevators, receiving dock facilities, electrical, service and local telephone service.
  - ❖ Keep areas adjacent to equipment free of extraneous material, move any stock, fixtures, walls or partitions that may be necessary to perform the specified service.
  - ❖ Provide adequate water treatment.
  - ❖ Provide the daily routine equipment operation (if not part of this Agreement) including availability of routine equipment log readings.
  - ❖ Where Gowan's remote monitoring service is provided, provide and maintain a telephone line with long distance direct dial and answer capability.
  - ❖ Operate the equipment properly and in accordance with instructions.
  - ❖ Promptly address any issues that arise related to mold, fungi, mildew or bacteria.
  
9. **EQUIPMENT CONDITION and RECOMMENDED SERVICE-** Upon the initial scheduled operating and/ or initial stop inspection, should Gowan determine the need for repairs or replacement, Gowan will provide Customer in writing an equipment condition report including recommendations for corrections and the price for repairs in addition to this Agreement. In the event that Gowan recommends certain services (that are not included herein or upon initial inspection) and if Customer does not elect to have such services properly performed in a timely fashion, Gowan shall not be responsible for any equipment or control failures, operability or any long-term damage that may result. Gowan at its option will either continue to maintain equipment and/or controls to the best of its ability, without any responsibility, or remove such equipment from this Agreement, adjusting the price accordingly.
  
10. **CUSTOMER TERMINATION-** Customer shall have the right to terminate this Agreement for Gowan's non-performance provided Gowan fails to cure such non-performance within 30 days after having been given prior written notice of the non-performance. Upon early termination or expiration of this Agreement, Gowan shall have free access to enter Customer locations to disconnect and remove any Gowan personal proprietary property or devices as well as remove any and all Gowan-owned parts, tools and personal property. Additionally, Customer agrees to pay Gowan for all incurred but unamortized service costs performed by Gowan including overheads and a reasonable profit.
  
11. **GOWAN TERMINATION-** Gowan reserves the right to discontinue its service at any time payments have not been made as agreed or if alterations, additions or repairs are made to equipment during the term of this Agreement by others without prior agreement between Customer and Gowan.
  
12. **LIMITATION OF LIABILITY-** Under no circumstances shall Gowan be held liable for any incidental, special or consequential damages, including loss of revenue, loss of use of equipment or facilities, or economic damages based on strict liability or negligence. Gowan shall be liable for damage to property other than the equipment provided under this Agreement, and to persons, to the extent that Gowan's negligent acts or omissions directly contributed to such injury or property damage. Gowan's maximum liability for any reason (except for personal injuries) shall consist of the refunding of all moneys paid by Customer to Gowan under this Agreement.

13. **WASTE DISPOSAL-** Customer is wholly responsible for the removal and proper disposal of waste oil, refrigerant and any other material generated during the term of this Agreement.
  14. **CLAIMS-** Any suits arising from the performance or non-performance of this Agreement, whether based upon contract, negligence, and strict liability or otherwise shall be brought within one (1) year from the date the claim arose.
  15. **GOVERNMENT PROCUREMENTS-** Gowan offers standard Commercial items that may not comply with Government specifications. Gowan does not comply with the Cost Accounting Standards (CAS) or with the Federal Acquisition Regulations (FAR), except for FAR part 12. In no event shall Gowan provide any Cost or Pricing data in connection with this Agreement or subsequent modifications.
  16. **SUPERSEDURE, ASSIGNMENT and MODIFICATION-** This Agreement contains the complete and exclusive statement of the agreement between the parties and supersedes all previous or contemporaneous, oral or written, statements. Customer may assign this Agreement only with Gowan's prior written consent. No modification to this Agreement shall be binding unless in writing and signed by both parties.
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**RESOLUTION NO. 2024-078**

**A RESOLUTION APPROVING THE PURCHASE OF A HEATER IN THE BELT PRESS ROOM OF THE WASTEWATER TREATMENT PLANT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, the Public Works Department desires to purchase of heaters for the belt press room of the Wastewater Treatment Plant; and

**WHEREAS**, the heaters in the belt press room of the Wastewater Treatment Plant are in need of replacement. A quote from Gowan-Garrett, Inc., in Houston Tx., is attached for your review. Gowan-Garrett, Inc. is a member of the Choice Partners purchasing cooperative, contract number 22/049MF-10, and the City has used them on several occasions with excellent results; and

**WHEREAS**, the total price for the eight (8) heaters and installation is \$96,333.00 and funds are made available via the City of Texas City 2023/2024 Annual Budget, account number 501703 55360.

**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 approves the purchase of heaters the belt press room of the Wastewater Treatment Plant for \$96,333.00 as attached hereto as **Exhibit “A”** and made part thereof.

**SECTION 2:** That this equipment is to be utilized by the Wastewater Treatment Plant.

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

**PASSED AND ADOPTED this 18th day of June 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

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Rhomari D. Leigh  
City Secretary

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Kyle L. Dickson  
City Attorney

AI-7319

(9) (a)

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

Consider and take action on Resolution No. 24-076, confirming Mayor Johnson's Appointment of Cynthia Rushing as the Director of Finance

**Submitted For:** Jennifer Price, Human Resources

**Submitted By:** Jennifer Price, Human Resources

**Department:** Human Resources

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**Information**

**ACTION REQUEST**

Consider and take action on Resolution No. 2024-076, confirming Mayor Johnson's appointment of Cynthia Rushing as the Director of Finance.

**BACKGROUND (Brief Summary)**

Cynthia Rushing is a Finance executive with over 27 years of experience in Finance and Business. She spent 18 years in the Oil and Gas Industry with Shell Oil Company, where she held progressively responsible positions such as: Financial Analyst, Business Consultant, Senior Business Analyst, Employee Services Manager, Program Manager, and Financial Performance Manager. While at Shell, she achieved and developed high performance teams, implemented key metrics, improved operational productivity, reduced operational costs, developed winning proposals, performed contract management, created financial models, and provided strategic guidance.

In recent years, she has transitioned from the Oil and Gas Industry in various Finance and Strategy roles to provide executive leadership in the public sector. She most recently served as the Director of Finance in Harris County, where she was responsible for the \$600 million budget and implemented several automation projects to drive efficiencies and quality improvements in the budget and accounts payable functions. Prior to that, she served as the Chief Financial Officer at the City of Houston, where she was responsible for the budget for the general fund, capital projects, facility maintenance and utility funds. There, she gained valuable experience in Debt Service Management, instituting department-wide metrics for her team, and streamlining the meter setup process for new and renovated construction sites.

Cynthia is a native Houstonian and earned a Bachelor of Business Administration (BBA) in Accounting from the University of Houston and a Master of Business Administration (MBA) from Rice University. Cynthia is a Certified Public Accountant (CPA) in the State of Texas and a Lean Six Sigma Green Belt. She is looking forward to serving the citizens and employees of the City of Texas City and adding value to the team and community.

**RECOMMENDATION**



Cynthia Rushing is an experienced Finance professional with the knowledge and background to make her successful in the role as the Director of Finance for the City of Texas City. Staff recommends the City Commission confirm Mayor Johnson's appointment of Cynthia Rushing as the Director of Finance.

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**Fiscal Impact**

**Attachments**

Resolution

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**RESOLUTION NO. 2024-076**

**A RESOLUTION CONFIRMING MAYOR DEDRICK D. JOHNSON'S APPOINTMENT OF CYNTHIA RUSHING AS THE DIRECTOR OF FINANCE; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, Cynthia Rushing is an experienced Finance professional with the knowledge and background to make her successful in the role as the Director of Finance for the City of Texas City; and

**WHEREAS**, staff recommends the City Commission confirm Mayor Dedrick D. Johnson's appointment of Cynthia Rushing as the Director of Finance.

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

**SECTION 1:** That the City Commission hereby confirms Mayor Dedrick D. Johnson's appointment of Cynthia Rushing as the Director of Finance.

**SECTION 2:** This Resolution shall be in full force and effect from and after its passage and adoption.

**PASSED AND ADOPTED this 18th day of June 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Rhomari D. Leigh  
City Secretary

\_\_\_\_\_  
Kyle L. Dickson  
City Attorney

**AI-7322**

**(9) (b)**

**CITY COMMISSION SPECIAL CALLED MTG**

**Meeting Date:** 06/18/2024

Amending the Grant Administration Manual

**Submitted For:** Patricia Mata, Community Development/ Grant Admin

**Submitted By:** Patricia Mata, Community Development/ Grant Admin

**Department:** Community Development/ Grant Admin

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**Information**

**ACTION REQUEST**

Approve to amend the Grant Administration Manual to include 2 CFR part 200.318-327 Subpart D Post Federal Award Requirements.

**BACKGROUND (Brief Summary)**

It is recommended by the Community Development and Grant Administration Department to amend the Grant Administration Manual to include 2 CFR Part 200.318-327 to Section III, Subrecipients and Subawards under Federal Procurement Rules. Revisions are in reference to the Code of Federal Regulations Post Federal Award Requirements updated as of June 6, 2024. Revisions are attached for review.

**RECOMMENDATION**

It is recommended by the Community Development and Grant Administration Department to amend the Grant Administration Manual to add 2 CFR 200.318-327 to Section III Subrecipients and Subaward Federal Procurement Rules.

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**Fiscal Impact**

**Attachments**

2 CFR 200.318-27

Resolution

Updated Grant Manual

Resolution

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## Federal Procurement Policy

Adding to the Standard Terms and Conditions that accompany every contract and purchase order the following: City of Texas City agreements made under a Federal Award as defined in the CFR will adhere to the provisions described in 2 CFR § 200.318-327 Appendix II.

### § 200.318 General Procurement Standards.

(a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also § 200.214.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.  
(j)

(1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction

#### § 200.319 Competition.

(a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.

(b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

- (2) Requiring unnecessary experience and excessive bonding;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive contracts to consultants that are on retainer contracts;
- (5) Organizational conflicts of interest;
- (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- (7) Any arbitrary action in the procurement process.

(c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

- (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
- (2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period. (f) Noncompetitive procurements can only be awarded in accordance with § 200.320(c).

#### § 200.320 Methods of procurement to be followed.

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) Informal procurement methods. When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold (SAT), as defined in § 200.1, or a lower

threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) Micro-purchases —

(i) Distribution. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of micro-purchase in § 200.1). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) Micro-purchase awards. Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) Micro-purchase thresholds. The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

(iv) Non-Federal entity increase to the micro-purchase threshold up to \$50,000. Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold consistent with State law.

(v) Non-Federal entity increase to the micro-purchase threshold over \$50,000. Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

(2) Small purchases —

(i) Small purchase procedures. The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition

threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) Simplified acquisition thresholds. The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) Formal procurement methods. When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) Sealed bids. A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders are willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which



bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) Proposals. A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and

(iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms that are a potential source to perform the proposed effort.

(c) Noncompetitive procurement. There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

(1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);

(2) The item is available only from a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

(4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or

(5) After solicitation of a number of sources, competition is determined inadequate.

**§200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.**

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

### **§200.322 Domestic preferences for procurements**

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

- (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

(c) Federal agencies providing Federal financial assistance for infrastructure projects must implement the Buy America preferences set forth in 2 CFR part 184.

### **§ 200.323 Procurement of recovered materials**

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

### **§ 200.324 Contract cost and price**

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and

degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under subpart E of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

### **§200.325 Federal awarding agency or pass-through entity review**

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

#### §200.326 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

#### §200.327 Contract provisions.

The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to this part.

**RESOLUTION NO.**

**A RESOLUTION AMENDING CITY OF TEXAS CITY'S GRANT ADMINISTRATION MANUAL TO INCLUDE PROVISIONS DESCRIBED IN 2 CFR § 200.318-327 Appendix II; AND PROVIDING THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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

**SECTION 1:** Amending the City of Texas City's Grant Administration Manual City to include in 2 CFR § 200.318-327 Appendix II in Section III, Subrecipients and Subaward under Federal Procurement Rules.

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

**PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor

ATTEST:

APPROVED AS TO FROM:

\_\_\_\_\_  
Rhomari D. Leigh  
City Secretary

\_\_\_\_\_  
Kyle L. Dickson  
City Attorney



# ***THE CITY OF TEXAS CITY***

## ***Grants Administration Manual***



MAYOR'S OFFICE | ADOPTED BY THE CITY COMMISSION ON 1/18/23  
UPDATED JUNE 2024

## GRANTS ADMINISTRATOR

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The City of Texas City's Grants Administrator is situated within the Mayor's Office and is tasked with centralizing the City's grant seeking and grant giving efforts; providing guidance and oversight to City departments in managing their post-award grant administration and reporting processes; and processing any donations received by the City.

The mission of the Grants Administrator is to increase the City's capacity to compete for federal, state, county, corporate, and foundation grant opportunities and to effectively assist in the full life cycle of grant management from application through closeout. The aim is to increase grant revenue, limit the City's exposure to any grant related legal liability, and improve the overall efficiency and impact of programs and services funded through grant dollars.

The Grants Administrator utilizes eCivis, a leading grants management system designed for state and local governments and school districts. The software allows the Grants Administrator to search and analyze a comprehensive listing of federal, state, and foundation grant opportunities.

**Pleases note:** All City of Texas City grant applications must be submitted by the Grants Administrator. This not only ensures that the submitted requests align with the established City's priorities; it can help avoid duplicate requests to the same funder. Further, all local foundation requests and meetings will be facilitated by the Grants Administrator.

Grants Administrator:

Titilayo Smith

409-643-5731-o

409-502-4401-c

tsmith@texascitytx.gov

Webpage:

<https://www.texascitytx.gov/1045/Grants-Administration>

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## **INTRODUCTION**

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Grant funds received by the City of Texas City support important programs and services that the City provides to our community. These funds allow the City to extend pre-existing services, introduce new initiatives, gain technological advances, and subsidize programmatic staffing and equipment. Grant funds are dispersed throughout many City departments and impact a variety of efforts, including public safety, economic development, community development, technology, recreation, and infrastructure improvement, among many others. Because grant funding allows the City to leverage local public funds to extend and enhance the services it offers to the community, the impact of grant funding upon the City of Texas City is significant.

The purpose of this Grants Manual is to guide City employees through the grant seeking and post-award processes for all departments, allowing us to achieve our mission more fully. The policies and procedures contained herein are intended to foster exceptional stewardship of the public trust through a rigorous adherence to ethical standards associated with grant related activity.

The policies and procedures laid out in this Grants Manual aim to achieve the following:

- Ensure that all grant related activity is consistent with the strategic priorities of the Mayoral administration.
- Ensure the integrity of the City's good standing among grantmaking entities, from local foundations to Federal agencies and everything in between.
- Ensure accountability for financial and programmatic elements of grant management, as well as the detection and mitigation of potential grant related problems.
- Serve as a resource for all steps of the grant's lifecycle including grant seeking, post-award management, and closeout for all City departments; and
- Centralize grant seeking and management to promote collaboration and coordination of the grants process between City departments.

If specific direction relative to grants cannot be located in this policy, please refer to existing City of Texas City policies and procedures or contact the Grants Administrator for assistance.

## **DEFINITIONS**

~~Administration – Primarily the responsibility of the Grants Administrator, includes the collective grant activities from completing an application to completing all the closeout requirements for the award.~~

*Application Package – A group of specific forms and documents for a specific funding opportunity which are used to apply for a grant.*

*Award – An approved application for financial assistance that provides support or stimulation to accomplish a public purpose.*

*Catalog of Federal Domestic Assistance (CFDA) number – The number assigned to a Federal program in the CFDA. CFDA provides a full listing of all Federal programs available to State and local governments.*

*Closeout – The process by which the Federal awarding agency or pass-through entity determines that all applicable administrative actions and all required work of the Federal award have been completed and takes actions as described in § 200.343 Closeout of the OMB Uniform Grants Guidance.*

*Code of Federal Regulations (CFR) – A codification of the rules governing federal assistance programs published in the Federal Register.*

*Contract – An executed agreement for procurement of funds, goods, services, or other assistance with specific obligations per the terms of an award and applicable federal, state and local regulations.*

*Cost Sharing or Matching – The portion of project costs not paid by grant funds. Represents a contribution based on overall costs of a project or activity provided by the grantee or by third parties from sources other than the grant funds. Can be a “cash match” of money or “in-kind match” of personnel, supplies, services, equipment, or other property.*

*Federal Awarding Agency – The Federal agency that provides a federal award directly to the governmental entity for which the City serves as a subrecipient.*

*Financial Management – Primarily the responsibility of the Finance Department. This includes, providing technical and management assistance to the Grants Administrator, coordinating the City-wide Single Audit, submitting reimbursement request to grantors where determined appropriate and practical by the Finance Department, and coordinating the City-wide physical inventory of grant-funded equipment.*

~~Funding Period – The period when federal funding is available for obligation by the recipient.~~

*Grant – An award to carry out a valid purpose under terms established by the grantor/awarding agency depending on the type of award and applicable federal, state and local regulations.*

*Grant Management – Primarily the responsibility of the Grants Administrator. This includes seeking grants where applicable and practical and where benefits of the grant exceed the cost of administering the grant, obtaining City Commission approval needed to apply for a grant, submitting requested documentation to the Finance Department, complying with requirements of the grant agreement, monitoring the grant program activities, and cooperating with the Finance Department to fulfill auditor requests and complete the City-wide physical inventory of grant funded equipment.*

*Grantee – A City Department or organization receiving financial assistance directly from an awarding agency to carry out a project or program, also referred to as a recipient or subrecipient.*

*Grantor – Entity providing financial assistance in the form of an award, also referred to as the sponsor or awarding agency.*

*Office of Management & Budget (OMB) – An Executive Office of the President of the United States responsible for issuing circulars to establish uniform standards for administrative and financial regulations for government granting agencies.*

*Pass-Through Entity – A non-Federal entity that provides a subaward to the City (as subrecipient) to carry out part of a federal program.*

*Schedule of Expenditures of Federal Awards (SEFA) – a supplementary Comprehensive Annual Financial Report (CAFR) schedule that includes the name of the Federal grantor agency or organization, the official program title of the Federal award, the applicable CFDA number for each award, the grant number assigned by the Federal awarding agency, and current year expenditures (both directly incurred by the City and passed through to subrecipients).*

*Single Audit – A financial, internal control and compliance audit established in OMB circular A-133 for entities that collectively expend \$750,000 or more of Federal assistance in a fiscal year.*

*Subaward – An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity.*

*Subrecipient* – A non-Federal entity that receives a subaward from a pass-through entity to ~~carry out part of a federal program, but does not include an individual that is a beneficiary~~ of such program.

## **Grant Checklist**

### **Pre-Award**

- ✓ Identify a grant opportunity or funding need.
- ✓ Meet with Grants Administrator to evaluate opportunity, discuss timeline, and assign roles.
- ✓ Department Subject Matter Experts (SME) provides necessary information to Grants Administrator for inclusion in the application.
- ✓ Grants Administrator will submit application.
- ✓ Grants Administrator will notify department when award is approved or denied.

### **Post Award**

- ✓ Grants Administrator will contact department to schedule grant execution meeting.
- ✓ Department SME works with the Grants Administrator to draft legislation to be presented to Commission.
- ✓ Grants Administrator and department SME attend City Commission meeting regarding the grant.
- ✓ Grant is signed by Mayor.
- ✓ If required, the Grants Administrator, City Attorney, and department SME will draft partner agreements to be signed by interested parties.
- ✓ Grants Administrator will notify Finance Department when to expect funds from grantor.
- ✓ Submit any progress and financial reports for funder to Grants Administrator.
- ✓ Prior to any major budget or project changes, contact Grants Administrator.
- ✓ Submit close-out documentation, including final reports, to Grants Administrator for submission to Finance Department (if applicable) and grantor.
- ✓ Per grant agreement, retain necessary documentation for an audit.

## **PART 1: GRANT SEEKING**

### **I. GRANT SEEKING PROCESS OVERVIEW**

---

The Grants Administrator aims to help departments to both find and apply for grant opportunities, thereby allowing each department to expand its overall capacity without placing greater burden on the City's Operating and Capital budgets. To do this, the Grants Administrator must have knowledge of all departmental needs that may be met through grant funding. Understanding a department's needs and priorities will allow the Grants Administrator to conduct research to find possible grant opportunities that suit its needs.

The following methods will be used to match departmental needs with grant opportunities:

- I. Annual meetings with departments
  - As part of the yearly formation of the City's Operating and Capital budgets, the Grants Administrator will meet with departments during their annual budget formation meetings to identify the current needs and priorities of the department. These identified priorities will inform regular searches of our grants database. Department heads and the designated grants liaisons for each department will be notified throughout the year as promising new grant opportunities are identified.
- II. Ad-hoc grant seeking
  - At any time during the year, all City employees are encouraged to bring new ideas or initiatives to the Grants Administrator. In these cases, the Grants Administrator will work to match the idea to existing grant opportunities and add the information to the internal department priority lists.

Once a grant opportunity is identified, the Grants Administrator will work with the department head or application team to complete a high-quality application for submission prior to the deadline.

### **II. IDENTIFYING A GRANT OPPORTUNITY**

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You may have a great idea for a new program, or your department might be in need of a piece of equipment. However, the City's Operating or Capital Budgets are not always realistic sources of funding for new purchases or initiatives. Fortunately, the Grants Administrator is here to help you identify grant opportunities that match your specific needs.

The process below will be followed for all new requests brought to the Grants Administrator:

- I. Departments contact the Grants Administrator with a specific need (i.e. new unfunded program, equipment purchase, etc.).
- II. The Grants Administrator will use eCivis, an online grants database, and funding expertise to locate the most appropriate grant opportunities.
- III. If a promising grant opportunity is located, an initial grant evaluation meeting will be scheduled with the department and the Grants Administrator.
- IV. If the Grants Administrator is unable to identify promising grants immediately, a notification is set up in eCivis that will send an alert when relevant funding opportunities become available.

## HOW GRANT OPPORTUNITIES DIFFER

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**Foundation Grants:** Local and national foundations exist to give away monies from their endowments to programs of specific interest to their founders or board of directors and/or to benefit specific locations or populations. They make decisions following only their own bylaws. As such, requests for funding from foundations should reflect the unique priorities of each organization. Funding requests from local foundations will need to be evaluated and approved by the Mayor's Office before an application can be submitted. ***Notify the Grants Administrator at least 2 weeks prior to the application deadline.***

**Corporate Grants:** Corporate philanthropies are private funders who are endowed by corporations, and in some cases even receive a designated percentage of profits each year to give away. They too make funding decisions based on their own bylaws, which often dovetail with the sector in which the associated corporation operates. Usually, a corporation's website will detail its grant making priorities and application guidelines. ***Notify the Grants Administrator at least 2 weeks prior to the application deadline.***

### **State Grants:**

The State of Texas offers several grant opportunities for municipalities through various agencies. These grants cover a wide variety of subject matter including environmental issues, transportation funding, economic development, and historic preservation. ***Notify the Grants Administrator at least 1-month prior to the application deadline.***

### **Federal Grants:**

The most time-consuming and competitive opportunities, Federal grant applications are substantial undertakings that can require project teams working upwards of 3 months to successfully complete. These grants often provide very substantial funding for longer-term initiatives, pilot projects, equipment, infrastructure-related projects, etc. that may be too costly to otherwise fund. These opportunities are often offered through the relevant agencies like the Department of Agriculture (USDA), Department of Education (DoED), Department of Housing and Urban Development (HUD), etc. ***Notify the Grants Administrator at least 1 month prior to the application deadline.***

## III. APPLYING FOR A GRANT

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Once a grant opportunity has been identified, the Grants Administrator will schedule a meeting to evaluate the competitiveness of a possible City of Texas City application. During the meeting, the following steps will be completed by the Grants Administrator, Finance, and department representatives:

- I. Review the application material in-depth.
- II. Identify all content and application components that must be developed for a successful application.
- III. Identify financial implications
  - Total anticipated project cost
  - Match requirements and sources
  - Partner organizations/sub-contractors
  - Staffing requirements (including salary and benefits increases for multi-year grants)
  - Documentation of a clear continuation plan\*
- IV. Identify programmatic implications
  - Alignment with Mayoral administration's strategic priorities

- Alignment with the department's goals
- Department's capacity to administer the programmatic, financial, and administrative aspects of the grant

\*In evaluating grant opportunities, departments are required to develop continuation plans prior to applying for grants. The plan should address strategies for sustaining grant funded programs should funding be reduced or terminated. Departments must plan responsibly for either termination or reduction of the program, or, plan to seek alternative sources of funding. Departments must understand that grants are temporary and additional costs cannot be absorbed by the City's operating budget.

Upon reviewing the factors above, a decision will be made regarding whether to pursue the grant opportunity. The process below will be followed to determine the next steps for all grant opportunities:

- I. Reach a joint decision on whether the opportunity should be pursued
- II. Develop an application timeline, assign tasks, and, if necessary, identify a larger project team to aide in application development
- III. Schedule any necessary follow-up meetings

The process of assembling a grant application can vary greatly, as can the time commitment necessary to complete a competitive application. Keep in mind, the Grants Administrator is always available as a resource, but departmental staff must be active contributors to the application to provide the necessary technical and operational expertise and knowledge. The following can be expected from the Grants Administrator during the application process:

- Attend regular project team meetings and provide expertise and feedback.
- Writing and editing assistance.
- Assist with securing letters of support to be included with the grant application.
- Offer guidance on best practices for developing budgets, logic models, and other commonly required application components.

## COMMON APPLICATION COMPONENTS

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**While each grant opportunity will have specific requirements, this section is intended to provide information that can be applied to all grant pursuits in general.**

**Writing an Executive Summary:** The abstract or executive summary is a brief, page-limited overview of what the grant reviewer will find in the full grant application. Brevity is important - this section should be no longer than one page unless the guidelines indicate the need for a two-page summary. It is recommended to write the abstract or summary after the entire grant application narrative is written. Always follow the funder's guidelines regarding word or line limits and the structure of the abstract or executive summary.

**Developing a Budget:** The budget should contain two parts: (1) a budget and (2) a budget narrative. The budget will include a list of all line items and the specific dollar amounts, as well as a total cost for all expenses. The budget narrative is the more detailed, written explanation of how the monies will be spent if the project is funded. This section will explain and justify the calculations used to arrive at the budget figures.



**Coordinating a Letter of Commitment or Support:** A letter of support comes from a partner organization and states that the partner is committed to providing leveraging assets to your grant funded program when funded. Partner organizations can commit to providing cash, facilities, technical assistance, equipment, supplies and materials, or loaned staff. Ask for letters of support from affiliates early in the planning process (*Note: the number of support letters required will vary*). In addition, letters of support can be written by local elected officials or organizations that underline their favorable opinion of the projects without specifically committing resources or funding to the proposal.

**Creating a Logic Model:** The Logic Model is a graphic blueprint of the key elements of a proposed program. It looks at inputs, activities, outputs, outcomes, and impacts. If you live and work in the world of grants, avoiding the Logic Model is difficult. Many different funders require a Logic Model in the program design of the grant application narrative.

***See the Appendix for a sample budget, Commission resolution, and logic model. In addition, the Grants Administrator website is a resource for additional grant application tools.***

#### **IV. APPLICATION SUBMISSION**

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Prior to grant application submission, the application must be reviewed by the Grants Administrator. The goal is to ensure that program and application materials align with established City priorities, meet the City's document quality standards, have matching funds available (if required), and that the means for continuation of the project or program after the grant period ends have been given realistic consideration.

The Grants Administrator is responsible for ensuring that the pre-application assessment factors noted above have been evaluated and completed prior to submission.

The process below will be followed prior to submitting your grant application:

- I. Departments provide the Grants Administrator with all relevant application materials to review and authorize prior to submission.
- II. The Grants Administrator verifies any necessary information with department heads, Finance, and the Mayoral administration.
- III. Obtains City Commission approval needed to apply for and accept grant funds. Applications for grant funds up to \$50,000 require Mayor approval; over \$50,000 requires City Commission approval. *Thresholds are consistent with the City's purchasing guidelines.*
- IV. Grants Administrator then submits the application following the procedures laid out by the funder.
- VI. Grants Administrator sends a copy of the entire request (including all attachments and supporting documentation) to the Department which retains a digital copy of the application and supporting materials for future reference.
- VII. Grants Administrator submits a copy of the application and supporting documents to Finance at the time of application submission to the Grantor.
- VIII. Notify Department when award is approved or denied.

## PART 2: POST-AWARD GRANT MANAGEMENT

### I. GRANT NOTIFICATION AND ACCEPTANCE

Once the Grants Administrator and/or department is notified that grant funding is awarded, the department calls the Grants Administrator to schedule a grant execution planning meeting. ***In some cases, grant awards require a quick turnaround to execute grant agreements. The Grants Administrator will work with departments to meet funder deadlines.*** Oversight of this process is critical to ensure that the interests and responsibilities of the City are met.

Throughout the grant cycle, the department is required to:

- Implement the project or program
- Achieve the stated goals and objectives outlined in the grant contract
- Comply with grantor's terms and conditions
- Meet agreed upon deadlines
- Adhere to the stated budget
- Maintain appropriate records
- Meet financial and programmatic reporting requirements
- Communicate the results of the program or project to the grantor and Grants Administrator

The process below will be followed for all grant award acceptance:

- I. The Grants Administrator will begin the process of formally accepting the funds.
- II. Upon receipt of the notice of the grant award, Grants Administrator and City Attorney review the grant agreement (including grant requirements), and forwards all information to Finance for tracking the grant and filing in the grant file.
- III. A unique number for the grant will be assigned by the Finance Department for use in Munis, the City's accounting system, in managing deposits and expenses related to the grant. This number will also be used as part of sections 1 and 2 of the resolutions for Commission.
- IV. The Grants Administrator will assist departments in the drafting of legislation to be submitted to City Commission. Authorization to accept and expend an award must be approved by City Commission through the legislative process.
- V. Once the Commission has approved acceptance, the Grants Administrator will forward the grant documentation to the Mayor for signature. Grant awards will need to be signed by the Mayor in order for them to be accepted by the grantor and become a fully executed agreement. The Grants Administrator will then send executed agreements back to the departments. Grant agreements may require additional signatures depending on the funder, which could include a department director and the Legal Department. **Pay attention to the deadline to accept a grant. Some grant award acceptances require a quick turnaround.**
- VI. The Grants Administrator is responsible for sending executed and signed grant documentation to the funder. This is usually a paper file but may be electronic. Upon receipt, the grantor will sign the final award document (executed award) and send it back to the Grants Administrator. When copies are received, the Grants Administrator will forward copies to the Department, Finance, and the City Secretary.

**Partner Organizations:** There may be circumstances in which the City of Texas City will partner with an outside organization. For example, the City is often approached by local non-profits, authorities, and other agencies to serve as the lead applicant for grant opportunities that are only open to municipalities. **As the lead applicant, the City assumes all the responsibilities for the grant, and must contract with the secondary organization.** In the case of all partnerships, a Memorandum of Understanding (MOU) between partner organizations is required.

A MOU is a document which outlines each organization's roles and responsibilities in fulfilling the grant requirements. The City Attorney will be instrumental in writing the agreement, which will then be folded into the process of accepting the grant award. At the time when legislation is presented, the MOU will also be included in the accompanying resolution.

## II. MANAGING THE GRANT

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Once grant funding is awarded and accepted, departments assume responsibility for accurately expending grant funds in accordance with the budget as well as implementing the scope of work for the project. There are unique financial and implementation requirements for every grant, which will be laid out in the award documents. The Grants Administrator is available to assist with any questions about these requirements.

The process below will be followed for managing a grant:

- I. In conjunction with the Grants Administrator the department will create a Grant Implementation Plan that identifies the goals and objectives to be achieved, the project timeline, milestone events, an anticipated expenditure schedule, and roles and responsibilities. The purpose of this policy is to ensure that all grant funded programs or projects are managed according to the terms set forth in the grant agreement, the City of Texas City Grants Manual, and other applicable City policies and procedures.
- II. The Grants Administrator must request payment from the funder if payment is not received up front. The specific payment method will be disclosed in the executed agreement. A request for payment will be submitted through the Grants Administrator via eCivis.
- III. Expenditures go through the City's regular approval process in Munis.
- IV. Departments are required to submit timely progress and financial reports that are outlined in the final grant agreement. Timely submission is necessary to avoid audit findings and ensures the City remains in good standing with all funders. Untimely submission of reports can jeopardize future funding requests and hold up payments for the City of Texas City via the same funding agency. Copies of reports will be sent to the Grants Administrator.
- V. Notify the Grants Administrator of any budget or programmatic changes to the Grant. Funders must approve any significant budget or programmatic changes through a written request, including award extensions. The grant agreement is a formal contract, so any changes need to be agreed on by both parties. For example, if an item costs significantly more or less than what was entered in the budget, if there is a change of staff, or a change in project scope, departments will need funder permission to implement changes. If a modification request is not submitted, it is likely that grant funds will need to be returned (to the Grantor) or they will not be reimbursed.

- VI. Requests for Proposals (RFPs) for vendors need to be coordinated with the Grants Administrator to ensure RFPs are in line with the grant award. If this is a Federal grant, the Department must search the System for Award Management (SAM) website to ensure any sub-awardees, or the vendor is not debarred or suspended.
  
- VII. For purchases and contracts \$50,000 or more (cumulatively in any fiscal year), the City does not enter into contracts or procure goods from vendors or contractors that are suspended or debarred. **Purchasing checks suspension and debarment for every requisition \$50,000 and above. This test will be done for all Federally Funded items that come through Commission. Additionally, a suspension and debarment clause is included in the Standard Terms and Conditions for purchase orders and contracts. The same is now included in the Instruction to Bidders in the Project Manual.**
  
- VIII. City procurement policies must be followed when procuring goods or services with grant funds.
  
- IX. Federal procurement regulations must be followed when procuring goods or services with Federal funds, including completion of the (1) Independent Estimate Determination Form and (2) Cost or Price Analysis (Reasonableness Form) if the procurement is \$250,000 or more. These forms will be completed by the department SME.

**UNIFORM GRANT GUIDANCE – FEDERAL PROCUREMENT RULES** (effective 10/1/2018 per *CFR § 200.320*)

**Methods of procurement under Federal Awards.** Note that City thresholds are more conservative and therefore are noted in place of Federal thresholds.

Purchase Type	Characteristics & Requirements	Written policies and procedures for: <ul style="list-style-type: none"> <li>● Procurement standards</li> <li>● Conflicts of interest in procurement</li> <li>● Allowable cost standards</li> </ul>
<b>Below \$50k (City threshold)</b>		
<b>Micropurchases</b>	<ul style="list-style-type: none"> <li>● Under \$3,000 (City threshold)</li> <li>● No bid or quote process required</li> <li>● No cost or price analysis required</li> <li>● Should be distributed among a range of qualified vendors</li> <li>● Use interentity agreements where applicable</li> </ul>	
<b>Small purchases</b>	<ul style="list-style-type: none"> <li>● Under \$50,000 (City threshold)</li> <li>● Price or rate quotes required from an adequate number of sources</li> <li>● Should be distributed among a range of vendors</li> <li>● Use interentity agreements where applicable</li> </ul>	
<b>Equal to or above \$50k (City threshold)</b>		
<b>Sealed bids</b>	<ul style="list-style-type: none"> <li>● Typically used for construction contracts</li> <li>● Bids must be publicly solicited</li> <li>● Two or more bidders are willing and able to compete and qualified to do the work</li> <li>● Complete, adequate, and realistic specification or purchase description is available</li> <li>● Firm fixed-price contract is feasible; a bidder can be selected based on price</li> <li>● Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids</li> <li>● Invitation for bids must be publicly advertised</li> <li>● Bids will be opened at the time and place prescribed in the invitation for bids and the bids must be opened publicly</li> <li>● A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder</li> <li>● Any or all bids may be rejected if there is a sound documented reason</li> </ul>	
<b>Competitive proposals</b>	<ul style="list-style-type: none"> <li>● Requests for proposals must be publicized and identify all evaluation factors and their relative importance</li> <li>● Proposals must be solicited from an adequate number of qualified sources</li> <li>● Written method of evaluation, considering price as well as other factors advantageous to the program</li> </ul>	
<b>Below, equal to, or above \$50k (City threshold)</b>		
<b>Noncompetitive proposals</b>	Falls into one or more of these four circumstances: <ul style="list-style-type: none"> <li>● Item available only from a single source</li> <li>● Public exigency or emergency won't permit a delay resulting from competitive solicitation</li> <li>● Expressly authorized by the awarding agency or pass-through entity</li> <li>● Competition is determined to be inadequate after solicitation</li> </ul>	

**Independent Estimate *and* Cost or Price Analysis**

At or above the Federal simplified acquisition threshold of \$250,000, organizations are required to document their cost and price analysis as well as the criteria by which you selected a vendor. Even though one source is available for the purchase, the Independent Estimate Determination and Contract Cost or Price Analysis must be performed to ensure reasonableness. The requirements relating to these analyses follow.

Questions	Independent Estimate and Determination	Contract Cost or Price Analysis
<b>Why is analysis required?</b>	Code of Federal Regulations §200.323 requires documentation of an independent estimate reached.	Code of Federal Regulations §200.323 requires documentation of a cost analysis or price analysis.
<b>When does analysis apply?</b>	For every procurement action at or above \$250,000	For every procurement action at or above \$250,000
<b>When should analysis be performed?</b>	BEFORE receiving bids or proposals or BEFORE receiving quotes or proposals from other governmental entities through an interlocal contract or a purchasing cooperative.	AFTER proposals or quotes are received <u>but</u> BEFORE the contract is awarded.
<b>What is the purpose of the analysis?</b>	Used to document the City's estimated range of fair and reasonable costs for the goods and/or services to be acquired and to document the analysis PRIOR to seeking bids, proposals, or quotes.	Demonstrates that the procurement process was conducted in an open and fair manner and that the City received the most advantageous price.
<b>What do I do with the analysis once completed?</b>	Submit completed form to the Purchasing Manager, or designee, for approval. Once approved, submit completed and signed form to the Grants Compliance Team for retention with the grant file.	Submit completed form to the Purchasing Manager, or designee, for approval. Once approved, submit completed and signed form to the Grants Compliance Team for retention with the grant file.

**Contract Provisions for Contracts Under Federal Awards**

In addition to other provisions required by the City, all contracts made by the City under Federal awards must contain provisions covering Appendix II to Part 200 of the CFR. See these provisions in the table below.

§ 200.318 General Procurement Standards.

(a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ

any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements. (f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also § 200.214.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. (j)

(1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree

of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction

#### § 200.319 Competition.

(a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.

(b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical



or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period. (f) Noncompetitive procurements can only be awarded in accordance with § 200.320(c).

§ 200.320 Methods of procurement to be followed.

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) Informal procurement methods. When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold (SAT), as defined in § 200.1, or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) Micro-purchases —

(i) Distribution. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of micro-purchase in § 200.1). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) Micro-purchase awards. Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) Micro-purchase thresholds. The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

(iv) Non-Federal entity increase to the micro-purchase threshold up to \$50,000. Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold consistent with State law.

(v) Non-Federal entity increase to the micro-purchase threshold over \$50,000. Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

(2) Small purchases —

(i) Small purchase procedures. The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) Simplified acquisition thresholds. The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) Formal procurement methods. When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) Sealed bids. A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders are willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) Proposals. A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and

(iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms that are a potential source to perform the proposed effort.

(c) Noncompetitive procurement. There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

(1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);

(2) The item is available only from a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

(4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or

(5) After solicitation of a number of sources, competition is determined inadequate.

**§200.321 Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms.**

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

**§200.322 Domestic preferences for procurements**

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

(c) Federal agencies providing Federal financial assistance for infrastructure projects must implement the Buy America preferences set forth in 2 CFR part 184.

**§ 200.323 Procurement of recovered materials**

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with

maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

#### **§ 200.324 Contract cost and price**

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under subpart E of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

#### **§200.325 Federal awarding agency or pass-through entity review**

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or passthrough entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or passthrough entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

#### §200.326 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

#### §200.327 Contract provisions.

The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to this part.

The City is addressing this requirement as follows:

Adding to the Standard Terms and Conditions that accompany every contract and purchase order the following: City of Texas City agreements made under a Federal Award as defined in the CFR will adhere to the provisions described in 2 CFR § 200.326 Appendix II to Part 200.

• Contracts for more than \$250,000 must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
• Contracts more than \$10,000 must address termination for cause and for convenience by the non-Federal entity including how it will be affected and the basis for settlement.
• Contracts that meet the definition of "federally assisted construction contract" must include the equal employment opportunity clause.
• Construction contracts more than \$2,000 must include a provision for compliance with the Davis-Bacon Act.
• Contracts more than \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 W.S.C. 3702 and 3704.
• Contracts entered into with a small business firm or nonprofit organization and the Federal award meets the definition of "funding agreement," must comply with the requirements of 37 CFR Part 401.
• Contracts more than \$150,000 must contain a provision that requires the non-Federal award to agree to comply with the Clean Air Act and the Federal Water Pollution Control Act.
• Contracts must not be entered into with parties listed on the government-wide exclusions in the System for Award Management (SAM).
• Contracts that apply or bid for an award more than \$100,000 must file the required certification regarding the Byrd Anti-Lobbying Amendment.

- X. The Grants Administrator will assist Finance with the City-wide physical inventory of Federally funded equipment, required by CFR §200.313(d)(2) of the Uniform Guidance, at least once every two years. *Required for Federally funded assets.*

**Cash management and payment:** Grants Administrator ensures that the vendor is paid within 30 calendar days after receipt of the billing (2 CFR §200.305(b)(3)) or as required in the grant documents. If the 30 calendar days is not met due to a discrepancy or billing dispute, this is documented in the grant file. For Federal awards, being paid on a reimbursement basis minimizes the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the City (2 CFR §200.305(b)).

**Allowability of costs:** Ensure costs meet the following general criteria to be allowable under Federal awards per 2 CFR §200.403:

- (a) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- (b) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- (c) Be consistent with policies and procedures that apply uniformly to both federally financed and other activities of the non-Federal entity.
- (d) Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- (e) Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- (f) Not be included as a cost or used to meet cost sharing or matching requirements of any other federally financed program in either the current or a prior period.
- (g) Be adequately documented. See also 2 CFR §200.300 Statutory and national requirements through §200.309 Period of performance of this part.

### III. SUBRECIPIENTS AND SUBAWARDS

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A subrecipient is a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a federal program but does not include an individual that is a beneficiary of such program. A subaward is an award made by a pass-through entity to a subrecipient for the purpose of carrying out a portion of the work funded by the pass-through entity's Federal award. The pass-through entity may use any form of legal agreement for making a subaward, including an agreement that the pass-through entity considers a contract. A subaward is not a contract by which the non-federal entity (i.e., the recipient or a subrecipient) enters into an agreement with an entity to purchase property or services needed to carry out the project or program under a Federal award. Here are some best practices:

- Require subrecipients to include in their applications a time-phased milestone plan of action based on clearly stated accomplishments defined in the proposal.
- Integrate budget line items into the performance plan.
- Require performance/progress reports and supporting documentation with monthly invoices.

Performance reports should discuss:

- Milestones achieved/to be achieved;
- Any significant problem, issues, or concerns;
- Timely accomplishments and delays, and
- Actual cost incurred compared to each budget line item with variances explained.

Departments are responsible for collecting close out documentation from the subrecipients, reviewing it, checking for accuracy, and submitting to the Grants Administrator for final submission.

### IV. CLOSE-OUT PROCEDURES

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As grant awards come to an end, final documentation is required to be submitted for final close-out. This documentation will usually include a final financial statement and a final programmatic report.

The following process will be followed for grant award closeout.

- I. The Grants Administrator will meet with departments three months prior to the end of grant close-out period to discuss any procedures and/or developments and to ensure submission of final paperwork.
- II. If a MOU was included in the grant paperwork, the Grants Administrator will also ensure that all paperwork from the partner organization is submitted.
- III. Departments will submit all closeout documentation to the Grants Administrator for future reference.
- IV. The Grants Administrator will coordinate with Finance on any financial information and reporting needed.
- V. Finance processes the final financial grant closeout report and issues the Single Audit Report in tandem with the CAFR.

### V. AUDITS/SITE VISITS

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Departments should contact the Grants Administrator immediately in the case of an audit, site visit, or desk review. The Grants Administrator will notify Finance and provide reports issued from external reviews.



An independent review of the City of Texas City grant-related records in the form of an audit can take place at any time. The goal of an audit is to ensure that the City has fully complied with all requirements of a given grant agreement and to verify the accuracy of all associated financial records. Some audits are predictable and take place on a regular basis, while other audits are performed by funders on an ad-hoc basis. The possibility for a grant audit always exists, which underscores the importance of record retention (see section VI. below for details).

The Single Audit is a yearly review overseen by the Finance Department and conducted by an outside entity. Auditors review all Federal grants as well as any grants in which the source of funds originated from the Federal government. The audit includes all expenditures and receipt of payments for all relevant grants. The Grant Administrator will provide all necessary documents to Finance for review and technical support during the Single Audit review performed by the external auditors.

### **Content Requirement for Single Audit Reports**

In accordance with Uniform Guidance and annual Compliance Supplements issued by the OMB, the Single Audit is intended to be the basic financial and compliance audit of a federal and state assistance program. The auditor report shall include, at a minimum, all the following elements:

- The basic financial statements.
- The SEFA showing the total federal expenditures for the fiscal year for each financial assistance program, both directly incurred by the City and passed through to subrecipients.
- An auditor's opinion on the basic financial statements, with notes, and an opinion whether the SEFA is presented fairly in all material respects in relation to the financial statements as a whole.
- Scope of testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing.
- For major federal award programs, an auditor's opinion on compliance with the requirements of the Single Audit Act, as amended, and the Uniform Guidance.

If the City is the pass-through entity for Federal funds (i.e., City passes Federal funds to a subrecipient), the department collects and reviews audit reports of subrecipients, issues management decisions on audit findings, and ensures the subrecipient takes any necessary corrective action.

## **VI. DOCUMENT RETENTION / REPORTING**

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Grant documentation must be kept a minimum of five years past the official close of the grant. However, if any equipment was purchased, then the grant records must be retained for five years from the date of transfer, replacement, sale, or disposal of the equipment. If the grant is re-opened due to an audit, the five years starts from the end of the audit. All records must be retained including receipts, any spreadsheets, grant award documentation, required forms, etc.

Finance prepares and retains the SEFA, the list of subaward amounts, the Data Collection Form for the Federal Audit Clearinghouse and the reconciliation to the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30.

## **PART 3: DONATIONS**

### **I. DEFINITIONS**

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Donations or gifts are made to the City without expectation of goods, services, or significant benefit or recognition in return. Donations may be in the form of monetary (cash) or in-kind contributions of products, services, investment securities, real property (e.g., land), or any combination thereof. Donations that, if accepted, would require the City to submit an application or oblige the City to enter a service, procurement, or other arrangement shall not be considered for a donation.

There are two types of donations:

- Restricted donations are designated for a particular City department, location, or purpose.
- Unrestricted donations are given to the City without any limitations placed on its use.

### **II. PROCEDURES**

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The following process will be followed for donation.

- I. All donations or gifts to the City shall immediately be submitted for consideration for acceptance. A Donation Acceptance Form is required to be completed by the receiving Department Head or the Finance Department for all donations provided to the City.
- II. Based on the value of the donation offered as outlined below, appropriate City staff shall review each donation and determine if the benefits to be derived warrant the acceptance of the donation.
  - Offers of cash or items or services valued at \$500 or less shall be approved at the discretion of the Finance Department, and all donations, regardless of amount shall be properly recorded and appropriated.
  - Donations of cash or items or services valued at more than \$500 and less than \$5,000 shall be approved by the City Commission through a read and adopted process with a single vote after review by the Finance Department.
  - Donations of cash or items or services valued at more than \$5,000 shall be submitted via resolution to City Commission for acceptance after initial review by the Finance Department.
- III. The appropriate City staff or Commission members will review the conditions of any restricted donation and determine if the benefits to be derived warrant acceptance of the donation.
- IV. All donations or gifts will receive recognition commensurate to the level and nature of the donation, as determined by the City. Regardless of the method of recognition selected, the intent shall be to appropriately honor the donor for their contribution to the community. Acknowledgement of the donation shall be in writing and be the responsibility of the Department Head who is the primary beneficiary of the donation. A copy of the acknowledgement shall be provided to the donor(s).
- V. Upon receipt of the donation:

- Physical items will be distributed to appropriate City departments for use, or at the discretion of the Department Head or the Finance Department, disposed of in an appropriate manner according to this operating policy.
- Monetary donations for restricted purposes will be deposited into the appropriate account.
- Monetary donations for unrestricted purposes will be deposited into the General Fund unless otherwise determined by a majority of Commission through a formal motion.

VI. A copy of each Donation Acceptance Form for accepted donations shall be maintained for information by the Finance Department and the designated department for which the donation was assigned.

The City of Texas City may decline any donation without comment or cause if, upon review, acceptance of the donation offer is determined to not be in the best interest of the City.

## APPENDIX

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### Sample Budget:

<i>REVENUE</i>	YEAR 1	YEAR 2	YEAR 3	TOTAL
TBD	\$ -	\$ -	\$ -	\$ -
TBD	\$ -	\$ -	\$ -	\$ -
TBD	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUE</b>	\$ -	\$ -	\$ -	\$ -
<i>EXPENSES</i>				
PERSONNEL				
Full-Time Salaries	\$ -	\$ -	\$ -	\$ -
Full-Time Benefits (30%)	\$ -	\$ -	\$ -	\$ -
Part-Time Wages	\$ -	\$ -	\$ -	\$ -
<i>Personnel Total</i>	\$ -	\$ -	\$ -	\$ -
NON-PERSONNEL				
Equipment & Supplies	\$ -	\$ -	\$ -	\$ -
Printing	\$ -	\$ -	\$ -	\$ -
Communications	\$ -	\$ -	\$ -	\$ -

Food/Refreshments	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ -	\$ -	\$ -
Promotional Items	\$ -	\$ -	\$ -	\$ -
Postage	\$ -	\$ -	\$ -	\$ -
Rental Fees	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -	\$ -
<i>Supplies Total</i>	\$ -	\$ -	\$ -	\$ -
<b>TOTAL EXPENSES</b>	\$ -	\$ -	\$ -	\$ -

**Sample Resolution:**

Resolution authorizing the Mayor and Director of [department, ex. “Department of Public Works”] to execute relevant agreements to receive grant funding to support [brief summary of how the grant purpose] and further providing for an agreement and expenditures not to exceed the written amount of grant [dollar amount of grant award, ex. “\$50,000”] dollars for this stated purpose.

Be it resolved by the Commission of the City of Texas City as follows:

**Section 1.** The Mayor of the City of Texas City is authorized to execute relevant agreements with the [name of grantor] to receive a grant award of written amount of grant [dollar amount of grant award] for the [brief summary of how the grant funds will be used] in the City. Monies from the grant agreement shall be deposited into the Grant Funds account [insert account number here].

**Section 2.** The Mayor of the City of Texas City is further authorized to enter into an Agreement, or Contract, or utilize existing Agreements or Contracts and not to exceed written amount of grant [dollar amount of grant award] dollars, [brief summary of how the grant purpose] under the terms of the agreement between the City and the Grantor [name of grantor]. Said agreement or agreements, contract or contracts, or expenditures shall not exceed written amount of grant [dollar amount of grant award] dollars chargeable to and payable from the Grants Fund account [insert account number here].

## Logic Model

A logic model (also referred to as a *Theory of Change*) is used to evaluate the effectiveness of a program. Logic models help us summarize key elements of a program, explain the rationale behind certain program activities, and more clearly explain our intended outcomes. Funders of all types request logic models, so, it's crucial to understand how they work. Below is an example:

INPUTS	STRATEGIES	OUTPUTS	INTERMEIDATE OUTCOMES	LONG-TERM OUTCOMES (FINAL GOALS)
What do you need to make your program happen?	What will the program do?	What are you measuring? (The direct quantitative product of your program activities)	Benefits for participants during and after program activities	Changes in systems and processes after expending funding
Examples include: <ul style="list-style-type: none"> <li>• Money</li> <li>• Partners</li> <li>• Facilities</li> <li>• Equipment and supplies</li> <li>• Transportation</li> <li>• Staff time</li> <li>• Volunteers</li> </ul>	Examples include: <ul style="list-style-type: none"> <li>• Provide...</li> <li>• Develop...</li> <li>• Implement...</li> <li>• Create...</li> <li>• Educate...</li> <li>• Coordinate...</li> </ul>	Examples include: <ul style="list-style-type: none"> <li>• #of classes taught</li> <li>• #of hours of service</li> <li>• #of residents served</li> <li>• #of projects completed</li> <li>• # of materials distributed</li> </ul>	Examples include: <ul style="list-style-type: none"> <li>• Improved condition</li> <li>• New knowledge</li> <li>• Increased skills</li> <li>• Changed attitudes</li> <li>• Changed behavior</li> </ul>	Examples include: <ul style="list-style-type: none"> <li>• New approaches</li> <li>• New services</li> <li>• Stronger partnership working agreement</li> </ul>

**IMPACT STATEMENT (Post 2-3 years).** This should be written in the past tense, as if the project has already been funded. In an ideal world (and in one sentence), what would happen as a result of your proposed project?

(Example: Students who once struggled to maintain a D grade point average have achieved phenomenal levels of success; they have celebrated As and Bs, increased state standardized test scores, and assumed leadership roles in after school activities).

*Adapted from: Grant Writing for Dummies 4<sup>th</sup> Edition*



### Donation Acceptance Form

This is to confirm that on (date) the City of Texas City received from (donor name and address), the following (check one):

- \$ (amount) in a lump sum
- \$ (amount) in (frequency) payments of  
\$ (amount) in (number) installments
- \$ (amount) in value of goods or services

Describe products, services, investment securities, real property, etc. in the space below:

Check this box if the donation is to be limited to the following uses:

City will publicly recognize donor by:

In administering this agreement, the Donor and City shall engage through the following primary representatives:

	<b>City of Texas City</b>	<b>Donor</b>
Primary Representative:		
Address:		
Telephone:		
Email:		

Submitted by

Name:

Title: Date:

Signature:

*Necessary Actions:*

*Less than \$500 Finance approval*

*\$500 to \$4,999.99 Finance approval, reading and adoption by Commission*

*\$5,0000 and greater Finance approval, full legislative approval*

**RESOLUTION NO. 2024-077**

**A RESOLUTION TO AMEND THE GRANT ADMINISTRATION MANUAL TO INCLUDE 2 CFR PART 200.318-327 SUBPART D POST FEDERAL AWARD REQUIREMENTS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS** it is recommended by the Community Development and Grant Administration Department to amend the Grant Administration Manual to include 2 CFR Part 200.318-327 to Section III, Subrecipients and Subawards under Federal Procurement Rules. Revisions are in reference to the Code of Federal Regulations Post Federal Award Requirements updated as of June 6, 2024. Revisions are attached for review; and

**WHEREAS,** it is recommended by the Community Development and Grant Administration Department to amend the Grant Administration Manual to add 2 CFR 200.318-327 to Section III Subrecipients and Subaward Federal Procurement Rules.

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

**SECTION 1:** That the City Commission hereby amends the Grant Administration Manual to add 2 CFR 200.318-327 to Section III Subrecipients and Subaward Federal Procurement Rules is approved.

**SECTION 2:** 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 18th day of June 2024.**

\_\_\_\_\_  
Dedrick D. Johnson, Sr., Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Rhomari D. Leigh  
City Secretary

\_\_\_\_\_  
Kyle L. Dickson  
City Attorney