

CITY OF TEXAS CITY  
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, MAY 21, 2025 - 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM - CITY HALL  
1801 9th Ave. N.  
Texas City, TX 77590

PLEASE NOTE: Public comments limited to posted agenda items only 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) Proclaiming the month of May as Motorcycle Awareness Month

(b) Service Awards

Chris Kelemen	Police	05/21/2015	10 years
Barry Schultz	Public Works	05/21/2015	10 years
Steven Hendershot	Fire	05/17/2010	15 years
James Hawkins	Fire	05/03/2010	15 years
Joeldan Flisowski	Public Works	05/24/2005	20 years
Kenneth Dewitt	Water Distribution	05/10/1995	30 years

(c) Promotion of Engineer Andrew Marcellus to Captain  
Promotion of Firefighter Matthew Simons to Engineer

(5) REPORTS

(a) Quarterly Investment Report (Finance)

(6) PUBLIC HEARING

- (a) Courtesy Public Hearing to hear citizens' opinions in favor of or in opposition to the issuance of Certificates of Obligation.

(7) PUBLIC COMMENTS

(8) CONSENT AGENDA

- (a) Approve City Commission Minutes for the May 7, 2025 meeting. (City Secretary)
- (b) Consider and take action on Resolution No. 2025-051, supporting Southeast Texas Housing Finance Corporation's (SETH) issuance of bonds for Bay Terrace Apartments, Located in Baytown, Texas. (Legal)
- (c) Consider and take action on Resolution No. 2025-052, supporting the Southeast Texas Housing Finance Corporation's (SETH) issuance of bonds for Wyndham Park Apartments- Baytown, Located In Baytown, Texas (Legal)
- (d) Consider and take action on Resolution No. 2025-053, approval to exceed the annual spend with Titleist. (Recreation & Tourism)
- (e) Consider and take action on Resolution No. 2025-054, awarding RFP 2025-479 Water and Control System Maintenance and Repair Contract. (Public Works)
- (f) Consider and take action on Resolution No. 2025-055, accepting a proposal for the Rehabilitation of the Chlorination Building at Wallace R. Knox Wastewater Treatment Plant. (Public Works).
- (g) Consider and take action on Resolution No. 2025-056, supporting Marathon Petroleum Company LP's Texas Enterprise Zone application to the State of Texas, for the purpose of a concurrent enterprise project. (Economic Development)
- (h) Consider and take action on Resolution No. 2025-057, supporting Marathon Petroleum Company LP's Texas Enterprise Zone application to the State of Texas, for the purpose of a concurrent enterprise project. (Economic Development)

(9) REGULAR ITEMS

- (a) Consider and take action on Ordinance No. 2025-11, issuance of the Texas Certificates of Obligation, Series 2025, not to exceed \$75M. (Finance)

(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 MAY 16, 2025, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

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RHOMARI LEIGH  
CITY SECRETARY

**CITY COMMISSION REGULAR MTG**

**(4) (a)**

**Meeting Date:** 05/21/2025

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

**Department:** City Secretary

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**Information**

**ACTION REQUEST**

Proclaiming the month of May as Motorcycle Awareness Month

**BACKGROUND (Brief Summary)**

The American Motorcycle Association (AMA) and the National Highway Traffic Safety Administration (NHTSA) reminded all motorist that motorcycle safety is everyone's safety. This annual campaign aims to increase awareness and promote safety measures for motorcyclist and motorist alike. Emphasizing the importance of remaining attentive and alert to the presence of motorcycles on city, urban/ rural streets, and highways which data has recently proven to increase in motorcyclist fatalities over the years, Distracted driving, over-reliance, and driver assistance technology are becoming issues that contribute to the rise in fatalities. AMA urges drivers to be vigilante while driving and avoid all distractions. During motorcycle safety awareness month and all year long, it is important for all road users to practice safe driving and riding to reduce the number of fatalities and injuries. Always observe the traffic laws and speed limits, ride/drive alcohol and drug free, avoid any distractions, yield to motorcyclists, wear high visible gear. The AMA and a network of clubs, state motorcycle- rights organization, the motorcycle industry, and government entities have supported and promoted motorcycle safety awareness month since its inception in the early 1980s.

**RECOMMENDATION**

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**Fiscal Impact**

**CITY COMMISSION REGULAR MTG**

(4) (b)

**Meeting Date:** 05/21/2025

May 2025 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

Chris Kelemen	Police	05/21/2015	10 years
Barry Schultz	Public Works	05/21/2015	10 years
Steven Hendershot	Fire	05/17/2010	15 years
James Hawkins	Fire	05/03/2010	15 years
Joeldan Flisowski	Public Works	05/24/2005	20 years
Kenneth Dewitt	Water Distribution	05/10/1995	30 years

**BACKGROUND (Brief Summary)**

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

**RECOMMENDATION**

Human Resources recommend approval of the May service Awards.

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**Fiscal Impact**

**CITY COMMISSION REGULAR MTG**

**(4) (c)**

**Meeting Date:** 05/21/2025

Promotions: Eng Andrew Marcellus to Captain & Firefighter Matthew Simons to Engineer

**Submitted For:** Dennis Harris, Fire Department

**Submitted By:** Cynthia Baker, Fire Department

**Department:** Fire Department

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**Information**

**ACTION REQUEST**

Promotion of Engineer Andrew Marcellus to Captain

Promotion of Firefighter Matthew Simons to Engineer

**BACKGROUND (Brief Summary)**

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**RECOMMENDATION**

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**Fiscal Impact**

**CITY COMMISSION REGULAR MTG**

**(6) (a)**

**Meeting Date:** 05/21/2025

Opportunity for Citizen Input on the Issuance of Certificates of Obligation Bonds

**Submitted For:** Finance Department, Finance      **Submitted By:** Finance Department,  
Finance

**Department:** Finance

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**Information**

**ACTION REQUEST**

Courtesy Public Hearing to hear citizens' opinions in favor of or in opposition to the issuance of Certificates of Obligation.

**BACKGROUND (Brief Summary)**

Public hearing to hear citizens' opinions in favor of or in opposition to the issuance of Certificates of Obligation to fund the capital projects: New Municipal Complex, New Fire Station, Engineering/Public Works Facility Expansion, and Public Library Roofing/HVAC repairs.

**RECOMMENDATION**

Finance recommends the approval of the issuance for Certificates of Obligation, Series 2025.

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**Fiscal Impact**

**CITY COMMISSION REGULAR MTG**

**(8) (a)**

**Meeting Date:** 05/21/2025

**Submitted By:** Renee Edgar, City Secretary

**Department:** City Secretary

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**Information**

**ACTION REQUEST**

Approve City Commission Minutes for the May 7, 2025 meeting. (City Secretary)

**BACKGROUND (Brief Summary)**

**RECOMMENDATION**

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**Fiscal Impact**

**Attachments**

May 7, 2025 Minutes

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REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, MAY 8, 2025 – 5:00 P.M.  
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, MAY 7, 2025, 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

Absent: Jami Clark, Commissioner District 4

2. INVOCATION

Led by Rev. Otis Lane of Hunter Chapel CME.

3. PLEDGE OF ALLEGIANCE

Led by DeAndre' Knoxson, Commissioner District 1.

4. PROCLAMATIONS AND PRESENTATIONS

a. Proclaiming May 4-10, 2025, as Small Business Week

Accepted by Tim Culp, Mandie McMillan Crowder, and Cory Moss from the Executive Board of Texas City-La Marque Chamber of Commerce.

b. Proclaiming May 4-10, 2025, as Municipal Clerks Week

Accepted by the City Secretary's Office, Rhomari Leigh and Renee Edgar.

c. Proclaiming May 11-17, 2025, as National Police Week

Accepted by Police Chief Cravens.

5. REPORTS

- a. Athletic Division (Recreation & Tourism)

JaMarcus Thomas, Athletics Coordinator, gave a PowerPoint presentation.

## 6. PUBLIC HEARING

- a. Public Hearing on the request received from Hugh Patrick Constructors, Inc. to change the zoning of 6.0821 acres located at 2628 Texas Avenue from District "E" (General Business) to District "F" (Light Industrial) for third-party storage of industrial equipment, materials, and supplies, and other uses.

Kim Golden, City Engineer, stated the Zoning Commission then deliberated and voted unanimously (5-0) to recommend approval of the zoning change from District "E" (General Business) to District "F" (Light Industrial). In addition, due to the change in use, the site will need to be made compatible with the requirements of the Gateway Overlay District regarding the screening fences and landscaping. The Zoning Commission did concur that the applicant must meet the requirements of the Gateway Overlay District.

Dennis Irby, member of the public, spoke about the property and gave the Commission a handout.

Public Hearing was opened at 5:22 pm and closed at 5:31 pm.

Motion by Commissioner At-Large Abel Garza, Jr., Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie to close the Public Hearing.

**Vote:** 6 - 0 CARRIED

## 7. PRELIMINARY ZONING APPROVAL

- a. Consider and take action on a Preliminary Zoning Approval of Zoning Change Request from Hugh Patrick Constructors, Inc. to rezone 6.0821 acres from District "E" (General Business) to District "F" (Light Industrial) for third-party storage of industrial equipment, materials, and supplies and other uses for located at 2628 Texas Avenue, north of Texas Ave and east of 27th Street North.

Kim Golden, City Engineer, recommend rezoning the 6.0821 acres at 2628 Texas Ave from District E (General Business) to District "F" (Light Industrial), which zone is compliant with the applicant's expressed intent to use the site for enclosed storage within the building and some incidental outside storage. The enclosed nature of the allowable uses of the District "F" (Light Industrial) district is less likely to conflict with the existing residential uses of the adjacent properties.

Motion by Commissioner At-Large, Mayor Pro Tem Thelma Bowie, Seconded by Commissioner District 3 Chris Sharp

**Vote:** 6 - 0 CARRIED

## 8. PUBLIC COMMENTS

The following members of the public requested to address the City Commission: Wayne Dolcefino, Henry Gomez, and Jose Boix.

9. CONSENT AGENDA

Commissioner At-Large, Mayor Pro Tem, Thelma Bowie, made a motion to approve Consent Agenda items 9a, b, c, d, e, f, g, and h. The motion was seconded by Commissioner District 1, DeAndra' Knoxson.

- a. Approve City Commission Minutes for the April 16, 2025 meeting. (City Secretary)

**Vote: 6 - 0 CARRIED**

- b. Consider and take action on Resolution No. 2025-041, approving and awarding Commission Grant funds in the amount of \$2,500 to District 2S4 Lions Charities. (Commissioner At-Large/ Mayor Pro Tem Thelma Bowie)

**Vote: 6 - 0 CARRIED**

- c. Consider and take action on Resolution No. 2025-042, appointing a member to the Texas City Cultural Arts Foundation Board of Directors to fill a vacancy. (City Secretary)

**Vote: 6 - 0 CARRIED**

- d. Consider and take action on Resolution No. 2025-043, approving Amendment No. 1 to the Agreement with Valero Refining-Texas, L.P. for the option to purchase treated wastewater effluent from the City of Texas City. (City Engineer)

**Vote: 6 - 0 CARRIED**

- e. Consider and take action on Resolution No. 2025-044, approving a contract with Willdan Engineering to provide third-party building inspection services for the College of the Mainland Library and Classroom new construction project. (City Engineer)

**Vote: 6 - 0 CARRIED**

- f. Consider and take action on Resolution No. 2025-045, awarding ITB 2025-480 Rental and Services for Portable Toilets and entering into a contract with Smooth Move. (Public Works)

**Vote: 6 - 0 CARRIED**

- g. Consider and take action on Resolution 2025-046, awarding of a contract for Housing Reconstruction 32536 to A.M.S. Construction in response to ITB 2025-470. (Community Development & Grants Administration)

**Vote: 6 - 0 CARRIED**

- h. Consider and take action on Resolution No. 2025-047, approving and awarding Commission Grant funds in the amount of \$5,000.00 to the TCISD Foundation for the Future. (Commissioner Keith Love)

**Vote: 6 - 0 CARRIED**

10. REGULAR ITEMS

- a. Consider and take action on the third and final reading of Ordinance No. 2025-08, to set speed zones for FM 517 as recommended by TxDOT on the basis of an engineering and traffic investigation. (City Engineer)

Kim Golden, City Engineer, recommends approval of the TxDOT recommended speed limits indicated for vehicles traveling upon the named streets and highways.

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

**Vote: 6 - 0 CARRIED**

- b. Consider and take action on the third and final reading of Ordinance No. 2025-09, to set speed zones for FM 519 as recommended by TxDOT on the basis of an engineering and traffic investigation. (City Engineer)

Kim Golden, City Engineer, recommends approval of the TxDOT recommended speed limits indicated for vehicles traveling upon the named streets and highways.

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

**Vote: 6 - 0 CARRIED**

- c. Consider and take action on Resolution No. 2025-048, approving a three (3) year renewal with CDW-G for Microsoft 365. (Finance)

Kyle Hunter, Director of Information Technology, request for the approval to renew a 3-year subscription to Microsoft 365.

Motion by Commissioner At-Large Abel Garza, Jr., Seconded by Commissioner District 3 Chris Sharp

**Vote: 6 - 0 CARRIED**

- d. Consider and take action on Resolution No. 2025-049, awarding a contract for ITB 2025-478 Sanitary Sewer Rehabilitation Project - Phase 24. (Public Works)

Jack Haralson, Public Works Director, recommended awarding the Sanitary Sewer Rehabilitation Project – Phase 24, to CZ Construction, LLC for the amount of \$1,139,767. For more detailed information and bid tabulation, please see exhibits A & B.

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

**Vote: 6 - 0 CARRIED**

- e. Consider and take action on Resolution No. 2025-050, awarding a contract for ITB 2025-477 Water Line Replacement Project – Phase 22. (Public Works)

Jack Haralson, Public Works Director, recommended the City of Texas City award the Water Line Replacement Project to Bull G Construction, LLC.

Motion by Commissioner At-Large, Mayor Pro Tem Thelma Bowie, Seconded by Commissioner District 3 Chris Sharp

**Vote: 6 - 0 CARRIED**

11. COMMISSIONERS' COMMENTS

12. MAYOR'S COMMENTS

An audiovisual recording of this meeting is available on the City's website and retained by the CSO for two years after the date of the adoption of the minutes to which the meeting corresponds.

13. ADJOURNMENT

Having no further business, Commissioner At Large, Abel Garza, Jr. made a MOTION to ADJOURN at 5:59 p.m.; the motion was SECONDED by Commissioner District 1, DeAndre' Knoxson. 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:

**CITY COMMISSION REGULAR MTG**

**(8) (b)**

**Meeting Date:** 05/21/2025

Bay Terrace Apartments- Baytown

**Submitted For:** Kyle Dickson, City Attorney Office

**Submitted By:** Renee Edgar, City Secretary

**Department:** City Attorney Office

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**Information**

**ACTION REQUEST**

A Resolution supporting Southeast Texas Housing Finance Corporation's issuance of bonds for Bay Terrace Apartments- Baytown (\$22,500,000) Located In Baytown, Texas

**BACKGROUND (Brief Summary)**

City of Texas City as a governmental unit participates in the Southeast Texas Housing Finance Corporation program and feels it is in the best interest of the City to support the City of Baytown, Texas, in its efforts to seek Multifamily Housing Tax-Exempt Bonds to develop a multifamily property.

The issuance of the above-referenced bonds is expected to advance the Corporation's continued efforts in providing safe, decent, sanitary, and affordable housing to the residents of its sponsoring political subdivision, including the Bay Terrace Apartments- Baytown located in Baytown, Texas.

SETH must obtain approval from all nineteen (19) of its jurisdictions for the issuance of any tax-exempt bonds.

**RECOMMENDATION**

To authorize the City of Texas City to sign General and No Litigation Certificates for SETH.

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**Fiscal Impact**

**Attachments**

attachment  
Resolution

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SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

April 28, 2025

The Honorable Dedrick Johnson, Sr.  
City of Texas City Mayor's Office  
1801 9<sup>th</sup> Avenue North  
Texas City, Texas 77590

RE: Bay Terrace Apartments, Baytown  
Issuance of Tax-Exempt Bond Financing  
The Southeast Texas Housing Finance Corporation

Dear Mayor Johnson:

Please find enclosed:

- **General and No Litigation Certificates**

These documents represent the Approval for the Issuance of Tax-Exempt Bonds for the acquisition and rehabilitation of the Bay Terrace Apartments in Baytown, Texas.

Please **sign three (3) copies** of the **General and No Litigation Certificates**. *In order to meet the Attorney General's submission date, we respectfully request the return of the original executed copies no later than **May 30, 2025**, using the pre-paid Fed Ex Envelope included in this packet.*

NOTE: Please Do Not Date the General and No Litigation Certificate. The State of Texas' Attorney General's Office will date those forms when appropriate.

For your review, I have also included a copy of the:

- **Resolution of No Objection from the City of Baytown**
- **Certificate of Hearing Officer**

If you or your staff have any questions, please do not hesitate to contact me at 281-484-4663 ext. 108 or at [rwilliams@sethfc.com](mailto:rwilliams@sethfc.com).

Sincerely,

Ron Williams  
Executive Director

xc: Mr. Kyle Dickson, City Attorney (with Attachments)  
Ms. Georgia Barzilay, SETH Director (w/o Attachments)

NOTE: Neither the State of Texas' Attorney General's Office nor the Housing Finance Corporation Act requires a Resolution of Approval by City Councils or Commissioners' Courts. SETH must obtain approval from all nineteen (19) of its jurisdictions for the issuance of any tax-exempt bonds.

## GENERAL AND NO LITIGATION CERTIFICATE OF THE CITY OF TEXAS CITY

We hereby certify that we are duly elected or appointed and acting officers of the City of Texas City, Texas (the “City”). We do hereby further certify that:

1. This Certificate is for the benefit of the Attorney General of the State of Texas (the “Attorney General”) and all persons interested in the validity of the proceedings of The Southeast Texas Housing Finance Corporation (the “Corporation”) related to the issuance by the Corporation of its tax-exempt obligations for the Bay Terrace Apartments project, to be issued in one or more series in an aggregate principal amount not to exceed \$22,500,000 (the “Bonds”).

2. The City Council (the “Governing Body”) of the City authorized the membership of the City in the Corporation, a joint housing finance corporation created pursuant to the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code, as amended (the “Act”), and approved the Corporation’s articles of incorporation (and all amendments thereto).

3. The City has appointed Georgia Barzilay to act as a member of the board of directors of the Corporation. The individual is a resident of a city or county which is a member of the Corporation.

4. The Governing Body has taken no action pursuant to the Act, including Section 394.016(c) thereof, or otherwise, to limit the effectiveness of the resolution authorizing the issuance of the Bonds or in any way affecting the proceedings relating to the issuance of the Bonds.

5. The Governing Body has not created any other Corporation that currently has the power to make home mortgages or loans to lending institutions, the proceeds of which are to be used to make home mortgage or loans on residential developments.

6. No litigation is pending, or to our knowledge threatened, in any court in any way affecting the existence of the Corporation or seeking to restrain or to enjoin the issuance, sale or delivery of the Bonds, or in any way contesting or affecting the validity or enforceability of the Bonds or the financing documents to which the Corporation is a party, or contesting in any way the completeness or accuracy of any disclosure document prepared in connection with the issuance of the Bonds, or contesting the powers of the Corporation or its authority with respect to the financing documents to which it is party.

7. Each of the undersigned officers of the City hereby certifies that he or she is the duly elected or appointed incumbent of the office appearing below his or her signature and that the signature of the other officer appearing below is the true and correct signature of such person.

8. The Attorney General of the State of Texas is hereby authorized and directed to date this Certificate concurrently with the date of his approval of the Bonds and this Certificate shall be deemed for all purposes to be accurate and correct on and as of that date and on and as of the date of the initial issuance and delivery of the Bonds to the initial purchasers thereof.

9. By his or her signature hereto, the undersigned representative of the Governing Body assumes no liability whatsoever with respect to the Bonds. The Bonds are not an indebtedness of the Governing Body or the City and the Governing Body and the City shall have no liability therefor.

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CITY OF TEXAS CITY, TEXAS

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

ATTEST

By \_\_\_\_\_  
[Deputy] City Clerk

DATED: \_\_\_\_\_  
[TO BE DATED BY ATTORNEY  
GENERAL OF THE STATE OF TEXAS]

RESOLUTION NO. 2973

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, REGISTERING NO OBJECTION TO THE ATRIUM BAY TERRACE, LP'S PROPOSED REHABILITATION OF THE BAY TERRACE APARTMENTS AND POSSIBLE ALLOCATION OF 4% AND 9% LOW INCOME HOUSING TAX CREDIT FOR THE PROJECT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

\*\*\*\*\*

WHEREAS, Atrium Bay Terrace, LP, is seeking a declaration from the City of Baytown that it does not object to the allocation of 4% and 9% Low Income Housing Tax Credit ("LIHTC") for its proposed rehabilitation of 130 affordable rental housing units at the Bay Terrace Apartments located at 1502 Nolan Road in the corporate limits City of Baytown, Harris County, Texas (the "Project"); and

WHEREAS, Resolution No. 1913 of the City Council of the City of Baytown, opposes any additional low income housing tax credit ("LIHTC") units within the City; and

WHEREAS, Resolution No. 2087 amends Resolution No. 1913 to provide a limited exception that allows the City Council to consider the approval of an application for low income housing tax credit units associated with the Texas Department of Housing and Community Affairs' Low Income Housing Tax Credit Program (LIHTC); and

WHEREAS, the Project in the City's corporate limits does not create new subsidized housing but merely proposes to upgrade the existing housing stock; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That in accordance with the requirements of Tex. Gov't Code §2306.67071 and Texas Administrative Code §11.204(4), the City Council hereby finds that:

- a. notice was provided to the City Council in accordance with Tex. Gov't Code, §2306.67071(a); and
- b. the City Council has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
- c. on February 13, 2025, the City Council held a hearing at which public comment may be made on the proposed Project in accordance with Tex. Gov't Code, §2306.67071(b); and
- d. after due consideration of the information provided by Atrium Bay Terrace, LP, and public comment, the City Council does not object to the proposed application for the allocation of 4% and 9% LIHTC for the Project.

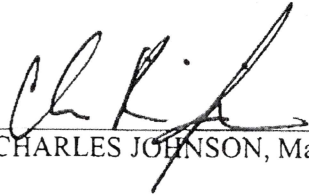
Section 2: That the City Council hereby registers no objection to the rehabilitation of the Piedmont Apartments pursuant to Tex. Gov't Code §2306.6703(a)(4) and no objection to Atrium Bay Terrace, LP applying and receiving the 4% and 9% Low Income Housing Tax

Credit (LIHTC) through the Texas Department of Housing and Community Affairs (TDHCA) to rehabilitate the Bay Terrace Apartments.

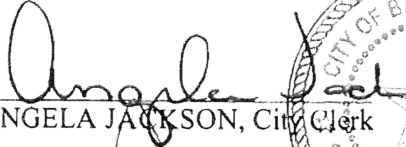
Section 3: That the City Clerk is hereby authorized and directed to send a certified copy of this resolution to the Texas Department of Housing and Community Affairs.


Section 4: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the City Council of the City of Baytown this the 13<sup>th</sup> day of February, 2025.


  
\_\_\_\_\_  
CHARLES JOHNSON, Mayor

ATTEST:

  
\_\_\_\_\_  
ANGELA JACKSON, City Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
SCOTT LEMON, City Attorney

## CERTIFICATE OF HEARING OFFICER

I, the undersigned, acting as hearing officer (the "*Hearing Officer*"), do hereby make and execute this certificate for the benefit of all persons interested in the proposed issuance of one or more series of tax-exempt obligations by The Southeast Texas Housing Finance Corporation in an aggregate principal amount not to exceed \$22,500,000 (the "*Bonds*") for the benefit of Atrium Bay Terrace, Limited Partnership, or an affiliate thereof, in connection with the acquisition, rehabilitation and equipping of an approximately 130-unit multifamily housing development located at 1502 Nolan Road, Baytown, Texas 77520 (the "*Development*").

I hereby certify as follows:

1. That I am the duly appointed Hearing Officer for the public hearing that was held on April 2, 2025, at 11:00 a.m. Central time telephonically whereby all interested persons could monitor and participate in the hearing by calling (877) 853-5247 (a toll-free telephone number) and entering 802-469-2463, followed by a pound key (#), in connection with the issuance of the Bonds.

2. That notice of the public hearing was published no less than seven days before the date of the public hearing in a newspaper or newspapers of general circulation available to residents of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball, as described in *Exhibit A* attached hereto; the notice included the date, time and place of the public hearing, the location, a description of the Development and the maximum aggregate principal amount of the Bonds.

3. That all interested persons who attended the public hearing telephonically were given an opportunity to comment on the proposed issuance of the Bonds and the Development. The names and comments of all interested persons appearing at the public hearing, if any, are set forth in *Exhibit A* attached hereto.

4. That after giving all interested persons an opportunity to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and comment, the public hearing was declared closed.

5. That copies of the affidavits of publication of notice of public hearing are set forth in *Exhibit B* attached hereto.

[Remainder of Page Intentionally Left Blank]

WITNESS MY HAND this 2nd day of April, 2025.

A handwritten signature in black ink, appearing to read 'Ron Williams', written over a horizontal line.

Ron Williams, Hearing Officer

## EXHIBIT A

### MINUTES OF PUBLIC HEARING

A public hearing was held by The Southeast Texas Housing Finance Corporation (the "Issuer") telephonically whereby all interested persons could monitor and participate in the hearing by calling (877) 853-5247 (a toll-free telephone number) and entering 802-469-2463, followed by a pound key (#), on April 2, 2025, beginning at 11:00 a.m. Central time.

The hearing was held with respect to the proposed issuance by the Issuer of not to exceed \$22,500,000 of tax-exempt obligations in one or more series (the "Bonds") in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the excludability of the interest on the Bonds from gross income for federal income tax purposes.

The notice of public hearing published in the *Houston Chronicle* on March 14, 2025 and in *The Baytown Sun* on March 16, 2025 indicated that the proceeds of the Bonds will be used to finance the acquisition, rehabilitation and equipping of the Bay Terrace Apartments (the "Development"), located within the City of Baytown, Texas, by Atrium Bay Terrace, Limited Partnership, or an affiliate thereof (the "Borrower").

Present at the hearing on behalf of the Issuer were Ron Williams, the hearing officer for the Issuer (the "Hearing Officer") and Candace Carrier-Spencer, executive assistant, of the Issuer. Others present were Ryan J. Bowen and Michelle Krofel of Chapman and Cutler LLP, bond counsel, Sharon Rose, Community Development Supervisor, of the City of Baytown, and Steve Anderson of Atrium Housing, Inc., an affiliate of the Borrower.

The Hearing Officer called the meeting to order and asked if there were any interested persons present who wished to express their views with respect to the issuance of the Bonds, or the Development being financed.

No one expressed an interest to speak.

Whereupon the Hearing Officer closed the public hearing at 11:13 a.m.

**EXHIBIT B**

**AFFIDAVITS OF PUBLICATION OF NOTICE OF PUBLIC HEARING**

The Baytown Sun  
1301 Memorial Drive  
Baytown, Texas 77520  
281-422-8302

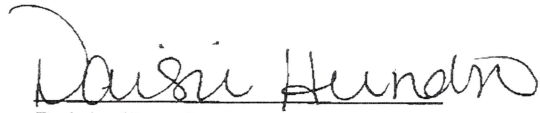
AFFIDAVIT OF PUBLICATION

Miller Advertising Agency  
909 Third Avenue, 15<sup>th</sup> Floor  
New York, New York 10022  
Attn: Gus Egloff

COUNTY OF HARRIS

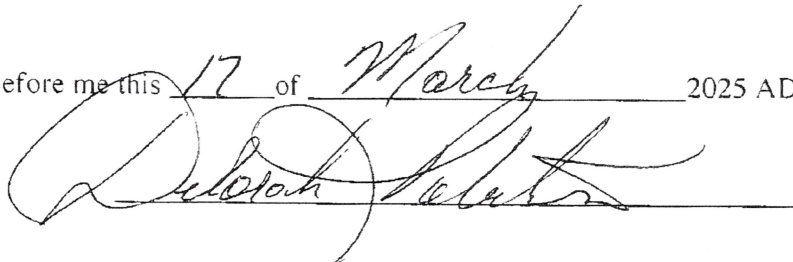
Reference: Southeast Texas Housing Finance Corporation Public Hearing – Atrium Bay Terrace

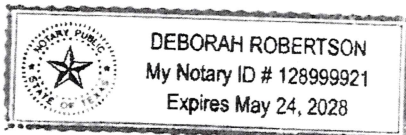
Before me, the undersigned authority, on this day personally appeared, Daisie Herndon who being duly sworn, deposes and says that she is an agent of the Baytown Sun: that said newspaper is regularly published in Harris County and generally circulated in Harris and Chambers Counties, Texas: that the attached notice was published on the following date.

  
Daisie Herndon, Agent

Printed: March 16, 2025

Subscribed and sworn before me this 17 of March 2025 AD





# Classifieds

The Baytown Sun

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**Legal Notice**

**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION**  
**NOTICE OF PUBLIC HEARING**

In accordance with Section 147.01 of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.9025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:30 a.m. Central time on Wednesday, April 2, 2025. All persons interested may monitor and participate in the hearing by calling (877) 853-3247 or a toll-free telephone number and entering 802-469-2463, followed by a pound key (#) promptly at 11:30 a.m. Central time on Wednesday, April 2, 2025. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shorelands, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(a)(7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$20,000,000. The Bonds will be issued for the benefit of Pillar Wyndham Park LP or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Wyndham Park located at 2700 Rollingbrook Drive, City of Baytown, Texas 77521 and consisting of approximately 184 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be limited obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions (or any other city, county or other municipal or political corporation or subdivision of the State of Texas or of the State of Texas, or a loan of credit of any of them, within the meaning of any constitutional or statutory provision).

All interested persons are invited to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and will be given the opportunity to express their views on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Tuesday, April 1, 2025 may be directed to the Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089. Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at williams@stefhc.com.

**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION**  
**NOTICE OF PUBLIC HEARING**

In accordance with Section 147.01 of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.9025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:00 a.m. Central time on Wednesday, April 2, 2025. All persons interested may monitor and participate in the hearing by calling (877) 853-3247 or a toll-free telephone number and entering 802-469-2463, followed by a pound key (#) promptly at 11:00 a.m. Central time on Wednesday, April 2, 2025. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shorelands, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(a)(7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$22,500,000. The Bonds will be issued for the benefit of Atrium Bay Terrace, Limited Partnership or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Bay Terrace Apartments located at 1502 Nolan Road, City of Baytown, Texas 77520 and consisting of approximately 130 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be limited obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions (or any other city, county or other municipal or political corporation or subdivision of the State of Texas or of the State of Texas, or a loan of credit of any of them, within the meaning of any constitutional or statutory provision).

All interested persons are invited to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and will be given the opportunity to express their views on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Tuesday, April 1, 2025 may be directed to the Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089. Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at williams@stefhc.com.

**Legal Notice**

**NOTICE OF PUBLIC HEARING OF THE ZONING BOARD OF ADJUSTMENT**

Notice is hereby given that the La Porte Zoning Board of Adjustment will conduct public hearings at 6:00 P.M. on the March 27, 2025, in the Council Chambers of City Hall located at 604 West Fairmont Parkway, La Porte, Texas, in accordance with the provisions in Section 106-171 of the City of La Porte Code of Ordinances and the provisions of the Texas Local Government Code, giving all interested persons the right to appear and be heard on the following items:

- The purpose of the public hearing is to receive public input on Special Exception Request #SE-2025-0004, a request by Margaret Holloway, applicant, on behalf of Mary Margaret Holloway Revocable Trust, owner, for a special exception to deviate years requirements and to waive or reduce off-street parking and loading requirements in accordance with Sec. 106-191 within the Low Density Residential (R-1) zoning district, on approximately 0.17-acre tract of land located at 1614 Roscoe St. and legally described as Lots 22 & 23 Block 28 Bay Front to La Porte, Harris County, Texas.
- The purpose of the public hearing is to receive public input on Special Exception Request #SE-2025-0005, by Suset Briseño, applicant, on behalf of Mayeta Calderon, owner, for a special exception to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule of elimination nonconformity in the Low Density Residential (R-1) zoning district, on an approximately 0.143-acre tract of land located at 210 S. 5th St., and legally described as Lots 24 & 25 Block 31 La Porte, Harris County, Texas.
- The purpose of the public hearing is to receive public input on Special Exception Request #SE-2025-0006, by Daphne Roscoe applicant, on behalf of Wanda Roscoe-McCarthy, owner, for a special exception to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule to eliminate nonconformity in the General Commercial (GC) zoning district, on an approximately 0.287-acre tract of land located at 332 N. 8th St. and legally described as Lots 1, 2, 3 & 4 Block 77 La Porte, Harris County, Texas.

Following the public hearing, the Zoning Board of Adjustment will act upon the public hearing item and conduct other matters pertaining to the Board.

Citizens wishing to address the Board or conduct during the public hearing are required to sign in before the meeting is convened.

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Houston Chronicle  
AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:  
COUNTY OF HARRIS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, a Newspaper Representative for the Hearst Newspapers, LLC - dba: Houston Chronicle, a newspaper published in Harris County, Texas and generally circulated in the Counties of: Harris, Trinity, Walker, Grimes, Polk, San Jacinto, Washington, Montgomery, Liberty, Austin, Waller, Chambers, Colorado, Brazoria, Fort Bend, Galveston, Wharton, Jackson, and Matagorda and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to wit:

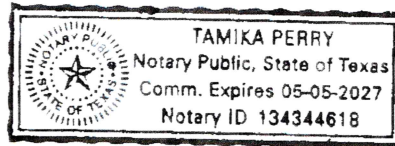
Customer ID	Customer	Campaign ID	Publication	Pub Date
21035429	THE SOUTHEAST TEXAS HOUSING	11035214	Houston Chronicle	3/14/2025

Victoria Bond  
Newspaper Representative (signature)

Victoria Bond  
Newspaper Representative (printed)

Sworn and subscribed to before me, this 17<sup>th</sup> day of March A.D. 2025

[Signature]  
Notary Public in and for the State of Texas



**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION  
NOTICE OF PUBLIC HEARING**

In accordance with Section 147.09 of the Internal Revenue Code of 1986, as amended (the "Code") and Section 151.9025 of the Texas Housing Finance Corporation Act, Chapter 151, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:00 a.m. Central time on Wednesday, April 2, 2025. All persons interested may register and participate in the hearing by calling (877) 469-2147 or toll free telephone number and entering 802-489-2463, followed by a pound key (#) or directly at 11:00 a.m. Central time on Wednesday, April 2, 2025. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Council on Austin, Beaumont, Chambers, Galveston, Lake of Maragorda, Alaker Water and Winters and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide interested parties an opportunity to comment on the proposed issuance by the Corporation of the Bonds. The Bonds are to be issued in one or more series pursuant to Section 14.2(a)(2) of the Code. The Bonds are an aggregate principal amount of not more than \$22,500,000. The Bonds will be issued for the benefit of Alamo Bay Terrace Limited Partnership as an affiliate thereof (the "Borrower") in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Bay Terrace Apartments located at 1502 Nelson Road, City of Baytown, Texas 77520 and consisting of approximately 100 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be issued obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged in trust payments. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions or any other city, county or other municipal or political corporation or subdivisions of the State of Texas or of the State of Texas or a board of credit of any of them, within the meaning of any constitutional or statutory provision.

All interested persons are invited to attend the hearing telephonically by dialing into the toll free telephone conference line number listed above and will be given the opportunity to express their views on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Tuesday, April 1, 2025 may be directed to the Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089 Attention: Ron Williams at (281) 484-4663 or via e-mail at [rw@stehfc.com](mailto:rw@stehfc.com).



**RESOLUTION NO. 2025-051**

**A RESOLUTION SUPPORTING A GENERAL AND NO LITIGATION CERTIFICATE AND STATING OUR NON-OBJECTION TO SUCH FROM THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION (SETH) FOR BAY TERRACE APARTMENTS- BAYTOWN (\$22,500,000) LOCATED IN BAYTOWN, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, the City Commissioners (the “Governing Body”) of the local governmental unit authorized the creation of the Corporation as a joint housing finance corporation pursuant to the Texas Housing Finance Corporations Act, Texas Local Government Code, Chapter 394, as amended (“the Act”); and

**WHEREAS**, the City of Texas City as a governmental unit participates in the Southeast Texas Housing Finance Corporation program and feels it is in the best interest of the City to support the City of Baytown, Texas, in its efforts to seek Multifamily Housing Tax-Exempt Bonds to develop a multifamily property; and

**WHEREAS**, the issuance of the above-referenced bonds is expected to advance the Corporation’s continued efforts in providing safe, decent, sanitary, and affordable housing to the residents of its sponsoring political subdivision, including the Bay Terrace Apartments-Baytown located in Baytown, Texas; and

**WHEREAS**, to gain approval of the Texas Attorney General’s Office for the issuance of the bonds, the Corporation has asked the City to confirm certain information.

**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 issuance of bonds in support of the Southeast Texas Housing Finance Corporation for Bay Terrace Apartments-Baytown (\$22,500,000) located in Baytown, Texas.

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

**PASSED AND ADOPTED this 21st day of May 2025.**

---

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

**CITY COMMISSION REGULAR MTG**

**(8) (c)**

**Meeting Date:** 05/21/2025

Wyndham Park Apartments- Baytown

**Submitted For:** Kyle Dickson, City Attorney Office

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

**Department:** City Secretary

---

**Information**

**ACTION REQUEST**

A Resolution supporting the Southeast Texas Housing Finance Corporation for issuance of bonds for Wyndham Park Apartments- Baytown (\$20,000,000) Located In Baytown, Texas

**BACKGROUND (Brief Summary)**

City of Texas City as a governmental unit participates in the Southeast Texas Housing Finance Corporation program and feels it is in the best interest of the City to support the City of Baytown, Texas, in its efforts to seek Multifamily Housing Tax-Exempt Bonds to develop a multifamily property.

The issuance of the above-referenced bonds is expected to advance the Corporation's continued efforts in providing safe, decent, sanitary, and affordable housing to the residents of its sponsoring political subdivision, including the Wyndham Park Apartments- Baytown located in Baytown, Texas.

SETH must obtain approval from all nineteen (19) of its jurisdictions for the issuance of any tax-exempt bonds.

**RECOMMENDATION**

To authorize the City of Texas City to sign General and No Litigation Certificates for SETH.

---

**Fiscal Impact**

**Attachments**

attachment  
Resolution

---



SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

April 28, 2025

The Honorable Dedrick Johnson, Sr.  
City of Texas City Mayor's Office  
1801 9<sup>th</sup> Avenue North  
Texas City, Texas 77590

RE: Wyndham Park Apartments, Baytown  
Issuance of Tax-Exempt Bond Financing  
The Southeast Texas Housing Finance Corporation

Dear Mayor Johnson:

Please find enclosed:

- **General and No Litigation Certificates**

These documents represent the Approval for the Issuance of Tax-Exempt Bonds for the acquisition and rehabilitation of the Wyndham Park Apartments in Baytown, Texas.

Please **sign three (3) copies** of the **General and No Litigation Certificates**. *In order to meet the Attorney General's submission date, we respectfully request the return of the original executed copies no later than **May 30, 2025**, using the pre-paid Fed Ex Envelope included in this packet.*

NOTE: Please Do Not Date the General and No Litigation Certificate. The State of Texas' Attorney General's Office will date those forms when appropriate.

For your review, I have also included a copy of the:

- **Resolution of No Objection from the City of Baytown**
- **Certificate of Hearing Officer**

If you or your staff have any questions, please do not hesitate to contact me at 281-484-4663 ext. 108 or at [rwilliams@sethfc.com](mailto:rwilliams@sethfc.com).

Sincerely,

Ron Williams  
Executive Director

xc: Mr. Kyle Dickson, City Attorney (with Attachments)  
Ms. Georgia Barzilay, SETH Director (w/o Attachments)

NOTE: Neither the State of Texas' Attorney General's Office nor the Housing Finance Corporation Act requires a Resolution of Approval by City Councils or Commissioners' Courts. SETH must obtain approval from all nineteen (19) of its jurisdictions for the issuance of any tax-exempt bonds.

## GENERAL AND NO LITIGATION CERTIFICATE OF THE CITY OF TEXAS CITY

We hereby certify that we are duly elected or appointed and acting officers of the City of Texas City, Texas (the “City”). We do hereby further certify that:

1. This Certificate is for the benefit of the Attorney General of the State of Texas (the “Attorney General”) and all persons interested in the validity of the proceedings of The Southeast Texas Housing Finance Corporation (the “Corporation”) related to the issuance by the Corporation of its tax-exempt obligations for the Wyndham Park project, to be issued in one or more series in an aggregate principal amount not to exceed \$20,000,000 (the “Bonds”).

2. The City Council (the “Governing Body”) of the City authorized the membership of the City in the Corporation, a joint housing finance corporation created pursuant to the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code, as amended (the “Act”), and approved the Corporation’s articles of incorporation (and all amendments thereto).

3. The City has appointed Georgia Barzilay to act as a member of the board of directors of the Corporation. The individual is a resident of a city or county which is a member of the Corporation.

4. The Governing Body has taken no action pursuant to the Act, including Section 394.016(c) thereof, or otherwise, to limit the effectiveness of the resolution authorizing the issuance of the Bonds or in any way affecting the proceedings relating to the issuance of the Bonds.

5. The Governing Body has not created any other Corporation that currently has the power to make home mortgages or loans to lending institutions, the proceeds of which are to be used to make home mortgage or loans on residential developments.

6. No litigation is pending, or to our knowledge threatened, in any court in any way affecting the existence of the Corporation or seeking to restrain or to enjoin the issuance, sale or delivery of the Bonds, or in any way contesting or affecting the validity or enforceability of the Bonds or the financing documents to which the Corporation is a party, or contesting in any way the completeness or accuracy of any disclosure document prepared in connection with the issuance of the Bonds, or contesting the powers of the Corporation or its authority with respect to the financing documents to which it is party.

7. Each of the undersigned officers of the City hereby certifies that he or she is the duly elected or appointed incumbent of the office appearing below his or her signature and that the signature of the other officer appearing below is the true and correct signature of such person.

8. The Attorney General of the State of Texas is hereby authorized and directed to date this Certificate concurrently with the date of his approval of the Bonds and this Certificate shall be deemed for all purposes to be accurate and correct on and as of that date and on and as of the date of the initial issuance and delivery of the Bonds to the initial purchasers thereof.

9. By his or her signature hereto, the undersigned representative of the Governing Body assumes no liability whatsoever with respect to the Bonds. The Bonds are not an indebtedness of the Governing Body or the City and the Governing Body and the City shall have no liability therefor.

[Remainder of Page Intentionally Left Blank]

CITY OF TEXAS CITY, TEXAS

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

ATTEST

By \_\_\_\_\_  
[Deputy] City Clerk

DATED: \_\_\_\_\_  
[TO BE DATED BY ATTORNEY  
GENERAL OF THE STATE OF TEXAS]

RESOLUTION NO. 2942

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, REGISTERING NO OBJECTION TO PILLAR WYNDHAM PARK, LP'S PROPOSED REHABILITATION OF THE WYNDHAM PARK APARTMENTS AND POSSIBLE ALLOCATION OF 4% LOW INCOME HOUSING TAX CREDIT FOR THE PROJECT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

\*\*\*\*\*

WHEREAS, Pillar Wyndham Park, LP is seeking a declaration from the City of Baytown that it does not object to the allocation of 4% Low Income Housing Tax Credit ("LIHTC") for its proposed rehabilitation of 184 affordable senior rental housing units at Wyndham Park Apartments located at 2700 Rollingbrook Drive in the corporate limits City of Baytown, Harris County, Texas (the "Project"); and

WHEREAS, Resolution No. 1913 of the City Council of the City of Baytown, opposes any additional low income housing tax credit ("LIHTC") units within the City; and

WHEREAS, Resolution No. 2087 amends Resolution No. 1913 to provide a limited exception that allows the City Council to consider the approval of an application for low income housing tax credit units associated with the Texas Department of Housing and Community Affairs' Low Income Housing Tax Credit Program (LIHTC); and

WHEREAS, the Project in the City's corporate limits does not create new subsidized housing but merely proposes to upgrade the existing housing stock: NOW THEREFORE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That in accordance with the requirements of Tex. Gov't Code §2306.67071 and Texas Administrative Code §11.204(4), the City Council hereby finds that:

- a. notice was provided to the City Council in accordance with Tex. Gov't Code, §2306.67071(a); and
- b. the City Council has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
- c. on September 26, 2024, the City Council held a hearing at which public comment may be made on the proposed Project in accordance with Tex. Gov't Code, §2306.67071(b); and
- d. after due consideration of the information provided by Pillar Wyndham Park, LP, and public comment, the City Council does not object to the proposed application for the allocation of 4% LIHTC for the Project.

Section 2: That the City Council hereby registers no objection to rehabilitation of the Wyndham Park Apartments pursuant to Tex. Gov't Code §2306.6703(a)(4); and no objection to Pillar Piedmont, LP applying and receiving the 4% Low Income Housing Tax


Credit (LIHTC) through the Texas Department of Housing and Community Affairs (TDHCA) to rehabilitate the Wyndham Park Apartments.

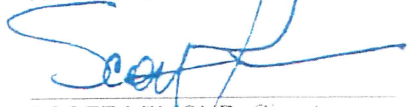
Section 3: That the City Clerk is hereby authorized and directed to send a certified copy of this resolution to the Texas Department of Housing and Community Affairs.

Section 4: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the City Council of the City of Baytown this the 26<sup>th</sup> day of September, 2024.

  
BRANDON CAPETILLO, Mayor

ATTEST:  
  
ANGELA JACKSON, City Clerk

APPROVED AS TO FORM:  
  
SCOTT LEMON, City Attorney

## CERTIFICATE OF HEARING OFFICER

I, the undersigned, acting as hearing officer (the "*Hearing Officer*"), do hereby make and execute this certificate for the benefit of all persons interested in the proposed issuance of one or more series of tax-exempt obligations by The Southeast Texas Housing Finance Corporation in an aggregate principal amount not to exceed \$20,000,000 (the "*Bonds*") for the benefit of Pillar Wyndham Park, LP, or an affiliate thereof, in connection with the acquisition, rehabilitation and equipping of an approximately 184-unit multifamily housing development located at 2700 Rollingbrook Drive, Baytown, Texas 77521 (the "*Development*").

I hereby certify as follows:

1. That I am the duly appointed Hearing Officer for the public hearing that was held on April 2, 2025, at 11:30 a.m. Central time telephonically whereby all interested persons could monitor and participate in the hearing by calling (877) 853-5247 (a toll-free telephone number) and entering 802-469-2463, followed by a pound key (#), in connection with the issuance of the Bonds.

2. That notice of the public hearing was published no less than seven days before the date of the public hearing in a newspaper or newspapers of general circulation available to residents of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball, as described in *Exhibit A* attached hereto; the notice included the date, time and place of the public hearing, the location, a description of the Development and the maximum aggregate principal amount of the Bonds.

3. That all interested persons who attended the public hearing telephonically were given an opportunity to comment on the proposed issuance of the Bonds and the Development. The names and comments of all interested persons appearing at the public hearing, if any, are set forth in *Exhibit A* attached hereto.

4. That after giving all interested persons an opportunity to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and comment, the public hearing was declared closed.

5. That copies of the affidavits of publication of notice of public hearing are set forth in *Exhibit B* attached hereto.

[Remainder of Page Intentionally Left Blank]

WITNESS MY HAND this 2nd day of April, 2025.

A handwritten signature in black ink, appearing to read 'Ron Williams', written over a horizontal line.

Ron Williams, Hearing Officer

## EXHIBIT A

### MINUTES OF PUBLIC HEARING

A public hearing was held by The Southeast Texas Housing Finance Corporation (the "Issuer") telephonically whereby all interested persons could monitor and participate in the hearing by calling (877) 853-5247 (a toll-free telephone number) and entering 802-469-2463, followed by a pound key (#), on April 2, 2025, beginning at 11:30 a.m. Central time.

The hearing was held with respect to the proposed issuance by the Issuer of not to exceed \$20,000,000 of tax-exempt obligations in one or more series (the "Bonds") in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the excludability of the interest on the Bonds from gross income for federal income tax purposes.

The notice of public hearing published in the *Houston Chronicle* on March 14, 2025 and in *The Baytown Sun* on March 16, 2025 indicated that the proceeds of the Bonds will be used to finance the acquisition, rehabilitation and equipping of Wyndham Park (the "Development"), located within the City of Baytown, Texas, by Pillar Wyndham Park, LP, or an affiliate thereof (the "Borrower").

Present at the hearing on behalf of the Issuer were Ron Williams, the hearing officer for the Issuer (the "Hearing Officer") and Candace Carrier-Spencer, executive assistant, of the Issuer. Others present were Ryan J. Bowen and Michelle Krofel of Chapman and Cutler LLP, bond counsel, Sharon Rose, Community Development Supervisor, of the City of Baytown, Jeremy Bartholomew of Resolution Companies, an affiliate of the Borrower.

The Hearing Officer called the meeting to order and asked if there were any interested persons present who wished to express their views with respect to the issuance of the Bonds, or the Development being financed.

No one expressed an interest to speak.

Whereupon the Hearing Officer closed the public hearing at 11:43 a.m.

**EXHIBIT B**

**AFFIDAVITS OF PUBLICATION OF NOTICE OF PUBLIC HEARING**

The Baytown Sun  
1301 Memorial Drive  
Baytown, Texas 77520  
281-422-8302

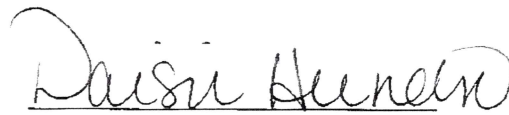
AFFIDAVIT OF PUBLICATION

Miller Advertising Agency  
909 Third Avenue, 15<sup>th</sup> Floor  
New York, New York 10022  
Attn: Gus Egloff

COUNTY OF HARRIS

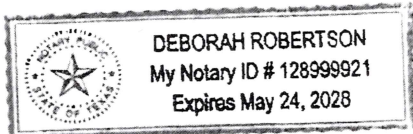
Reference: Southeast Texas Housing Finance Corporation Public Hearing – Wyndham Park

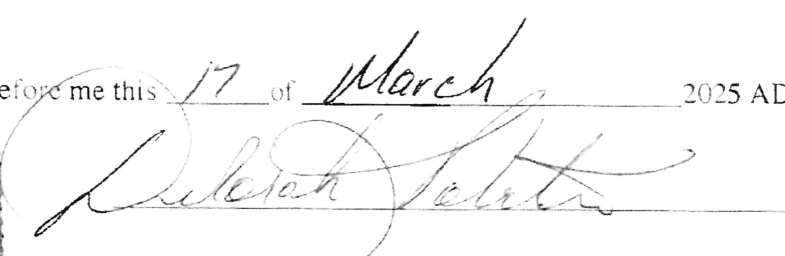
Before me, the undersigned authority, on this day personally appeared, Daisie Herndon who being duly sworn, deposes and says that she is an agent of the Baytown Sun: that said newspaper is regularly published in Harris County and generally circulated in Harris and Chambers Counties, Texas: that the attached notice was published on the following date.

  
Daisie Herndon, Agent

Printed: March 16, 2025

Subscribed and sworn before me this 17 of March 2025 AD





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 Sat. 15th 9-3pm.  
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**Legal Notices**

**Legal Notices**

**NOTICE TO BIDDERS**

The City of Morgan's Point is accepting sealed proposals for the construction of an effluent outfall. The project is located at 227 North Wilson Road. Bids will be received at City Hall, 510 Bayridge Rd, Morgan's Point, TX, 77571 and via CIVICAST Online Bidding, until 2:00 P.M., local time, April 1, 2025, and then publicly opened and read.

**A NON-MANDATORY pre-bid conference will be held at City Hall, 510 Bayridge Rd, Morgan's Point, TX, 77571, at 2:00 P.M., March 25 in 2025 with an onsite visit to follow. Each bid must be accompanied by a certified check or bid bond, duly executed, in the amount of five (5%) percent of the bid. Complete bidding documents are available at www.civicasusa.com.**

**The City of Morgan's Point hereby notifies all bidders that minority business enter-**

**prises will be afforded equal opportunities to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, age, religion or national origin, or any protected class in consideration for an award.**

**The City reserves the right to reject any and/or all bids, to waive any and/or all technicalities and to accept any bid or part thereof, which in the opinion of the city council, is most advantageous to the City. In the event of ambiguity or lack of clearness in stating the prices in the bid, the City reserves the right to consider the most advantageous bid thereof or to reject the bid.**

**Legal Notice for Lee College**

Lee College (the "College") is requesting proposals for a five (5) year bank depository services contract. The initial service is to begin September 1, 2025 and extend through August 31, 2030. Through this contract the College intends to minimize banking costs, improve operational efficiency, and maximize its investment capabilities. The Request for Proposal (RFP), which represents the College's cash management goals, also specifies all required qualifications, the banking services required, the estimated volumes on all accounts, the method of compensation, submission instructions and contract award provisions. All qualified institutions, as defined below, are invited to submit a proposal, institutions responding to this Request for Proposal (RFP) must be insured through the Federal Deposit

**Insurance Corporation (FDIC) and must be able to demonstrate capacity to meet the College's requirements as stated in the RFP.**

**Please contact Jonathan Harris, Purchasing Director at jpharris@lee.edu if you have any questions or you need any additional information.**

**LC will make a good faith effort to follow the Timeline for evaluating, negotiating, and issuing an award.**

**Release Project Date: March 10, 2025**

**Question Submission Deadline: March 25, 2025 @ 5:00 pm CST**

**Proposition Submission Deadline: April 9, 2025 @ 5:00 pm CST**

**Evaluation of Proposals: April -May 2025**

**Award date: May 2025**

**Contract start date: September 1, 2025**

**ORDINANCE NO. 16.088**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BAYTOWN TO REZONE APPROXIMATELY 5.56 ACRES GENERALLY LOCATED AT 4300 AND 4350 EAST INTERSTATE HIGHWAY 10 (E IH 10), LEGALLY DESCRIBED AS LOT 1, BLOCK 11, RAPSON PAD, AND 2.5 ACRES OUT OF TRACT 61F, BLOCK 19, HIGHLAND FARMS, BAYTOWN, HARRIS COUNTY, TEXAS, FROM SAN JACINTO 3 (S-J3) TO A FREEMAN COMMERCIAL (FO) ZONING DISTRICT, PRESCRIBING A MAXIMUM PENALTY OF TWO THOUSAND AND NO DOLLARS (\$2,000.00), PROVIDING A REPEALING CLAUSE, CONTAINING SAVING CLAUSE, AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.**

**Legal Notices**

**RATES & INFO**

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**classifieds@baytownsun.com**

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**Legal Notice**

**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION NOTICE OF PUBLIC HEARING**

In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.9025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:30 a.m. Central time on Wednesday, April 2, 2025. All persons interested may monitor and participate in the hearing by calling (877) 853-5247 (a toll-free telephone number and entering 802-469-2463, followed by a sound key (if) promptly at 11:30 a.m. Central time on Wednesday, April 2, 2025. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions"). The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(b)(7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$20,000,000. The Bonds will be issued for the benefit of Pillar Wynham Park, LP or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Myrtham Park located at 2700 Rollingbrook Drive, City of Baytown, Texas 77521 and consisting of approximately 184 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be limited obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions or any other city, county or other municipal or political corporation or subdivision of the State of Texas or of the State of Texas, or a loan or credit of any of them, within the meaning of any constitutional or statutory provision.

All interested persons are invited to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and will be given the opportunity to express their views on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Tuesday, April 1, 2025 may be directed to the Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089. Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at rwilliams@sethc.com.

**Legal Notice**

**NOTICE OF PUBLIC HEARING OF THE ZONING BOARD OF ADJUSTMENT**

Notice is hereby given that the La Porte Zoning Board of Adjustment will conduct public hearings at 6:00 P.M. on the March 27, 2025, in the Council Chambers of City Hall located at 804 West Fairmont Parkway, La Porte, Texas, in accordance with the provisions in Section 106-171 of the City of La Porte Code of Ordinances and the provisions of the Texas Local Government Code, giving all interested persons the right to appear and be heard on the following items:

- The purpose of the public hearing is to receive public input on Special Exception Request #SE-2025-0004, a request by Marguerite Holloway, applicant, on behalf of Marguerite Holloway, Recovable Trust, owner, for a special exception to deviate yard requirements and to waive or reduce off-street parking and loading requirements in accordance with Sec. 106-191 within the Low Density Residential (R-1) zoning district, on an approximately 0.17-acre tract of land located at 1614 Roscoe St. and legally described as Lots 22 & 23 Block 28 Bay Front to La Porte, Harris County, Texas.
- The purpose of the public hearing is to receive public input on Special Exception Request #SE-2025-0005, by Susel Bisenio, applicant, on behalf of Reyesy Calceiron, owner, for a special exception to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule to eliminate nonconformity in the Low Density Residential (R-1) zoning district, on an approximately 0.143-acre tract of land located at 210 S. 5th St. and legally described as Lots 24 & 25 Block 31 La Porte, Harris County, Texas.

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 Real Estate Associate kopryshak@kw.com

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**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION NOTICE OF PUBLIC HEARING**

In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.9025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:00 a.m. Central time on Wednesday, April 2, 2025. All persons interested may monitor and participate in the hearing by calling (877) 853-5247 (a toll-free telephone number) and entering 802-469-2463, followed by a sound key (if) promptly at 11:00 a.m. Central time on Wednesday, April 2, 2025. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions"). The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(b)(7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$22,500,000. The Bonds will be issued for the benefit of Auburn Bay Terrace, Limited Partnership or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Bay Terrace Apartments located at 1502 Nolan City of Baytown, Texas 77520 and consisting of approximately 130 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

**Legal Notice**

**NOTICE OF PUBLIC HEARING OF THE ZONING BOARD OF ADJUSTMENT**

The purpose of the public hearing is to receive public input on Special Exception Request #SE-2025-0006, by Daphne Roscoe, applicant, on behalf of Wanda Roscoe-McCarthy, owner, for a special exception to allow for an enlargement of a nonconforming structure in accordance with Sec. 106-262, and an exemption from extended useful life requirement of Sec. 106-265 to provide a schedule to eliminate nonconformity in the General Commercial (GC) zoning district, on a 0.287-acre tract of land located at 332 N. 8th St. and legally described as Lots 1, 2, 3 & 4 Block 77 La Porte, Harris County, Texas.

Following the public hearing, the Zoning Board of Adjustment will act upon the public hearing item and conduct other matters pertaining to the Board.

Citizens wishing to address the Board prior or during the public hearing are required to sign in before the meeting is convened.

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Houston Chronicle  
AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:  
COUNTY OF HARRIS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, a Newspaper Representative for the Hearst Newspapers, LLC – dba: Houston Chronicle, a newspaper published in Harris County, Texas and generally circulated in the Counties of: Harris, Trinity, Walker, Grimes, Polk, San Jacinto, Washington, Montgomery, Liberty, Austin, Waller, Chambers, Colorado, Brazoria, Fort Bend, Galveston, Wharton, Jackson, and Matagorda and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to wit:

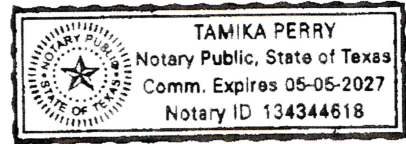
Customer ID	Customer	Campaign ID	Publication	Pub Date
21035429	THE SOUTHEAST TEXAS HOUSING	11035147	Houston Chronicle	3/14/2025

Victoria Bond  
Newspaper Representative (signature)

Victoria Bond  
Newspaper Representative (printed)

Sworn and subscribed to before me, this 1<sup>th</sup> day of March A.D. 2025

[Signature]  
Notary Public in and for the State of Texas



**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION  
NOTICE OF PUBLIC HEARING**

In accordance with Section 1477 of the Internal Revenue Code of 1986 as amended (the "Code") and Section 194.9025 of the Texas Housing Finance Corporation Act, Chapter 194, Texas Local Government Code as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:00 a.m. Central time on Wednesday, April 1, 2025. All persons interested may monitor and participate in the hearing by calling (713) 854-2241 or toll-free telephone number and ext. 902-469-2463, followed by a pound key (#) promptly at 11:00 a.m. Central time on Wednesday, April 1, 2025. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Bexar, Chambers, Galveston, Liberty, Matagorda, Walker, Water and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, Pasadena, Santa Fe, Shreveport, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its general obligations to be issued in one or more series pursuant to Section 142(a)(2) of the Code (the "Bonds") in an aggregate principal amount of not more than \$20,000,000. The Bonds will be issued for the benefit of Pika Wyndham Park, LP, an affiliate thereof (the "Borrower"), in connection with the acquisition, establishment and equipping of a multifamily housing development known as Wyndham Park located at 2700 Ballingbank Drive, City of Baytown, Texas 77521 and consisting of approximately 154 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be issued obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions or any other city, county or other municipal or political corporation or subdivision of the State of Texas or of the State of Texas or a branch or unit of any of them, within the meaning of any constitutional or statutory provision.

All interested persons are invited to attend the hearing telephonically by dialing into the toll-free telephone number noted above and will be given the opportunity to express their views on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Tuesday, April 1, 2025 may be directed to the Corporation, 11111 South San Houston Parkway East, Houston, Texas 77069, Attention: Ron Williams at (281) 484-4663 ext. 108 or via e-mail at [rwilliams@sehtfc.com](mailto:rwilliams@sehtfc.com).



**RESOLUTION NO. 2025-052**

**A RESOLUTION SUPPORTING A GENERAL AND NO LITIGATION CERTIFICATE AND STATING OUR NON-OBJECTION TO SUCH FROM THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION (SETH) FOR WYNDHAM PARK APARTMENTS- BAYTOWN (\$20,000,000) LOCATED IN BAYTOWN, TEXAS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, the City Commissioners (the “Governing Body”) of the local governmental unit authorized the creation of the Corporation as a joint housing finance corporation pursuant to the Texas Housing Finance Corporations Act, Texas Local Government Code, Chapter 394, as amended (“the Act”); and

**WHEREAS**, the City of Texas City as a governmental unit participates in the Southeast Texas Housing Finance Corporation program and feels it is in the best interest of the City to support the City of Baytown, Texas, in its efforts to seek Multifamily Housing Tax-Exempt Bonds to develop a multifamily property; and

**WHEREAS**, the issuance of the above-referenced bonds is expected to advance the Corporation’s continued efforts in providing safe, decent, sanitary, and affordable housing to the residents of its sponsoring political subdivision, including the Wyndham Park Apartments-Baytown located in Baytown, Texas; and

**WHEREAS**, to gain approval of the Texas Attorney General’s Office for the issuance of the bonds, the Corporation has asked the City to confirm certain information.

**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 issuance of bonds in support of the Southeast Texas Housing Finance Corporation for Wyndham Park Apartments-Baytown (\$20,000,000) located in Baytown, Texas.

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

**PASSED AND ADOPTED this 21st day of May 2025.**

---

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

**CITY COMMISSION REGULAR MTG**

**(8) (d)**

**Meeting Date:** 05/21/2025

Approval to Exceed Annual Spend with Titleist

**Submitted For:** Nicole Best, Recreation and Tourism

**Submitted By:** Nancy Heredia, Recreation and Tourism

**Department:** Recreation and Tourism

---

**Information**

**ACTION REQUEST**

Approval to exceed the \$50,000 annual spend threshold with Titleist, with a proposed not-to-exceed limit of \$85,000.

**BACKGROUND (Brief Summary)**

Titleist is widely recognized as the leading brand in the golf industry, best known for producing the #1 golf ball on the market. At Bayou Golf Course, Titleist products have consistently demonstrated strong sales performance and remain in high demand among our clientele. Our purchases from Titleist include a variety of high-quality golf merchandise such as balls, gloves, hats, bags, umbrellas, and clubs.

The brand's reputation for excellence and consistency aligns closely with the expectations of our customers. Additionally, resale items from Titleist fall under an exemption specified in the relevant purchasing statute, which removes the requirement to obtain three competitive quotes for these purchases.

**RECOMMENDATION**

It is recommended that Bayou Golf Course be granted authorization to exceed the \$50,000 annual expenditure limit with Titleist, with a proposed cap of \$85,000. This increase will allow us to maintain adequate inventory levels, meet continued customer demand, and ensure the availability of Titleist's premium merchandise throughout the year.

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**Fiscal Impact**

**Attachments**

Resolution

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**RESOLUTION NO. 2025-053**

**A RESOLUTION APPROVING TO EXCEED THE ANNUAL SPEND WITH TITLEIST; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, at Bayou Golf Course, Titleist products have consistently demonstrated strong sales performance and remain in high demand among our clientele; and

**WHEREAS**, resale items from Titleist fall under an exemption specified in the relevant purchasing statute, which removes the requirement to obtain three competitive quotes for these purchases; and

**WHEREAS**, it is recommended that Bayou Golf Course be granted authorization to exceed the \$50,000 annual expenditure limit with Titleist, with a proposed cap of \$85,000. This increase will allow us to maintain adequate inventory levels, meet continued customer demand, and ensure the availability of Titleist’s premium merchandise throughout the year.

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

**SECTION 1:** That the City Commission hereby approves the Bayou Golf Course to exceed the annual spend with Titleist.

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

**PASSED AND ADOPTED this 21st day of May 2025.**

---

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

**CITY COMMISSION REGULAR MTG**

**(8) (e)**

**Meeting Date:** 05/21/2025

Water and Control System Maintenance and Repair Contract Approval

**Submitted For:** Dj Hutchinson, Public Works

**Submitted By:** Dj Hutchinson, Public Works

**Department:** Public Works

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**Information**

**ACTION REQUEST**

The Utilities Department is seeking Commission approval for RFP 2025-479 Water and Control System Maintenance and Repair Contract. These items will be funded through the following accounts:

**WATER DISTRIBUTION**

501705 55020 for installs and improvements  
53340 for maintenance and repairs

**WASTEWATER TREATMENT**

501703 55360 for installs and improvements  
53440 for maintenance and calibration

**LIFT STATIONS**

501706 53450 maintenance and repairs.

Pricing of Services can be found in Exhibit B

**BACKGROUND (Brief Summary)**

The objective of this Request for Proposal was to obtain qualified vendors to provide water and control system maintenance and repairs for the City of Texas City. On April 30, 2025, one (1) proposal was received. This vendor was scored based on the provided evaluation criteria, as well as the long-standing relationship they maintain with the City of Texas City.

**RECOMMENDATION**

The Purchasing Department recommends awarding the contract to Municipal Technologies as they were the agency who met the requirements outlined in the proposal documents.

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**Fiscal Impact**

**Attachments**

Exhibit A

Exhibit B



# CITY OF TEXAS CITY, TEXAS

PURCHASING DEPARTMENT • OFFICE: (409) 643-5950 • FAX: (409) 942-1073



*Texas City*  
EST. 1911

Mayor:  
**Dedrick Johnson**

Commissioners  
**Thelma Bowie**  
**Abel Garza Jr.**  
**DeAndre Knoxson**  
**Keith Love**  
**Chris Sharp**  
**Jami Clark**

To: Dedrick Johnson Sr., Mayor

From: Gwynetheia Shabazz Pope, Purchasing Coordinator

CC: Jack Haralson, Public Works Director  
Corbin Ballast, Director of Utilities

Date: May 12, 2025

Re: Request for Proposal 2025-479 Water and Control System Maintenance and Repair

Enclosed for your review and approval is the award recommendation for RFP 2025-479 Water and Control System Maintenance and Repair

## **HISTORY**

The objective of this Request for Proposal was to obtain qualified vendors to provide water and control system maintenance and repairs for the City of Texas City. On April 30, 2025, one (1) proposal was received. This vendor was scored based on the provided evaluation criteria, as well as the long standing relationship they maintain with the CoTC.

## **AWARD RECOMMENDATION**

The Purchasing Department recommends awarding the contract to Municipal Technologies as they were the agency who met the requirements outlined in the proposal documents.

*Gwynetheia Pope*

Gwynetheia Shabazz Pope, CTPM, CTCM  
Purchasing Coordinator

---

RFP # & Title

**RFP 2025-479 Water and Control System Maintenance and Repair  
for Texas City Police Department**

Contractor/Proposer	Evaluator 1	Evaluator 2	Evaluator 3	Total Points
Municipal Technologies	100	100	100	300
				0
				0
				0

- o Emergency Call Out or Scheduled Short Notice Repairs Night, Weekend, Holiday, or regular workdays. 24 Hr. / 365-day telephone support for maintenance or operational assistance and training:
- o Hourly rate for non-covered repair Systems Integration / Supervision (M-F, 8-5, excluding holidays):
- o Hourly rate for Repair Technician (M-F, 8-5, excluding holidays):
- o Hourly rate for Apprentice / Helper (M-F, 8-5, excluding holidays):
- o Mark-up cost of materials:
- o Cost to deliver materials:

**Proposal Fee Schedule:**

- o *Annual site inspection of water production sites including water plants, remote water sites, and reducing station:*
  - \$ 19,470.00 Annually
- o *Semi-Annual cali ration, repair, replacement, and testing of instruments, VTScada system, and controls at all Water Plants and remote water sites, including reducing stations:*
  - \$ 25,410.00 Bi-Annually
- o *Annual site inspection of wastewater sites including the wastewater treatment plant and lift stations:*
  - \$ 38,940.00 Annually
- o *Semi-Annual cali ration, repair, replacement, and testing of instruments and controls at Wastewater main plant and remote lift stations sites. Systems integration, PLC maintenance, and VTScada maintenance*
  - \$ 33,880.00 Bi-Annually
- o *Emergency Call Out or Scheduled Short Notice Repairs Night, Weekend, Holiday, or regular workdays. 24 Hr. / 365-day telephone support for maintenance or operational assistance and training:*
  - *Field Service & In-House Labor Rates Sheet attached*
- o *Hourly rate for non-covered repair Systems Integration / Supervision (M-F, 8-5, excluding holidays):*
  - *Field Service & In-House Labor Rates Sheet attached*
- o *Hourly rate for Apprentice / Helper (M-F, 8-5, excluding holidays):*
  - *Field Service & In-House Labor Rates Sheet attached*
- o *Mark-up cost of materials:*
  - 15%
- o *Cost to deliver materials:*
  - *Freight + 15%*

# Field Service Rates

<b>WEEKDAYS</b> 8 HOURS 8am – 5pm	<b>Service Tech</b> Repair, Installation, Inspection, Startup, Troubleshooting, Training	\$125/hour
	<b>System Integrator</b> PLC, SCADA, Design, Programming, Troubleshooting, Training	\$175/hour
	<b>Apprentice / Helper</b>	\$65/hour
	<b>Travel Rate</b>	\$80/hour
<b>OVERTIME</b> > 8 HOURS Saturday and times outside regular hours.	<b>Service Tech</b>	\$187.50/hour
	<b>System Integrator</b>	\$262.50/hour
	<b>Apprentice / Helper</b>	\$97.50/hour
	<b>Travel Rate</b>	\$120/hour
<b>PREMIUM OVERTIME</b> HOLIDAYS & SUNDAYS	<b>Service Tech</b>	\$250/hour
	<b>System Integrator</b>	\$350/hour
	<b>Apprentice / Helper</b>	\$130/hour
	<b>Travel Rate</b>	\$160/hour

# In-House Service Rates

<b>WEEKDAYS</b> 8 HOURS 8am – 5pm	<b>Service Tech</b> Inspection, Disassembly, Repair, Testing	\$105/hour
	<b>System Integrator</b> PLC, SCADA, Design, Programming, Troubleshooting, Training	\$125/hour
	<b>Apprentice / Helper</b>	\$50/hour
<b>OVERTIME</b> > 8 HOURS Saturday and times outside regular hours.	<b>Service Tech</b>	\$157.50/hour
	<b>System Integrator</b>	\$187.50/hour
	<b>Apprentice / Helper</b>	\$75/hour
<b>PREMIUM OVERTIME</b> HOLIDAYS & SUNDAYS	<b>Service Tech</b>	\$210/hour
	<b>System Integrator</b>	\$250/hour
	<b>Apprentice / Helper</b>	\$100/hour

**RESOLUTION NO. 2025-054**

**A RESOLUTION AWARDING RFP 2025-479 WATER AND CONTROL SYSTEM MAINTENANCE AND REPAIR CONTRACT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

**WHEREAS**, packets were made available to local area vendors for RFP 2025-479 Water and Control System Maintenance and Repair Contract; and

**WHEREAS**, proposals were opened on April 30, 2025, and it is the recommendation of the Public Works Department that the proposal be awarded to Muni-Tec (Municipal Technologies, Inc.), Sugar Land, Texas, for the service prices proposed.

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

**SECTION 1:** That the City Commission awards RFP 2025-479 Water and Control System Maintenance and Repair Contract to Muni-Tec (Municipal Technologies, Inc.).

**SECTION 2:** That the Mayor is hereby authorized to enter into an annual contract with Muni-Tec (Municipal Technologies, Inc.) for the proposal attached hereto as **Exhibit “A.”**

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

**PASSED AND ADOPTED this 21st day of May 2025.**

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

ATTEST:

APPROVED AS TO FORM:

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

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

**CITY COMMISSION REGULAR MTG**

**(8) (f)**

**Meeting Date:** 05/21/2025

Rehabilitation of the Chlorination Building at Wallace R. Knox Wastewater Treatment Plant

**Submitted For:** Dj Hutchinson, Public Works      **Submitted By:** Dj Hutchinson, Public Works

**Department:** Public Works

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**Information**

**ACTION REQUEST**

The Utilities Department is seeking approval to accept the proposal from ARKK Engineering for design and construction for the Rehabilitation of the Chlorination Building at Wallace R. Knox Wastewater Treatment Plant for the amount of \$99,670.00.

This project is funded through Account No. 501703-5536.

For more detailed information regarding the proposal, please see Exhibit A.

**BACKGROUND (Brief Summary)**

The existing chlorination building at the Wallace R. Knox Wastewater Treatment Plant facility was originally constructed in or about 1994. This building houses the liquid chemicals that are used to disinfect and de-chlorinate the treated wastewater just prior to leaving the treatment plant facility. The building is subject to the corrosive effects of salt air environment and more corrosive off-gassing from liquid chemicals stored in this building.

**RECOMMENDATION**

It is the recommendation of the Utilities Department to accept the proposal for this project submitted by ARKK Engineering. ARRK Engineering's performance on countless other successful projects they have designed and overseen for two decades for the City makes them well suited for this project.

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**Fiscal Impact**

**Attachments**

Exhibit A  
Resolution

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THE STATE OF TEXAS

COUNTY OF GALVESTON

**AGREEMENT FOR SERVICES**

This Agreement entered into as of the \_\_\_ day of \_\_\_\_\_, A.D., 2025, by and between ARKK Engineers, LLC ("Consultant"), and the City of Texas City, Texas, ("Client").

**WITNESSETH:**

WHEREAS, the Client has requested various services of the Consultant with respect to Engineering Services for the City of Texas City Proposal for Engineering Services for the City of Texas City's "**Rehabilitation of the Chlorination Building at the Knox WWTP**" ("Project").

NOW, THEREFORE, *Client* and *Consultant* hereby agree as follows:

1. Engagement of Consultant - *Consultant* hereby agrees to perform the services required under the scope of work related to the *Project*, and to provide *Client* with copies of the information, opinions, and other such documents made the basis of the scope of services, which is set out in Attachment "A" and made a part of this contract. *Consultant* agrees to initiate the following services that are set out in Attachment "A" upon receipt of an executed copy of this Agreement.
2. Availability of Information - *Client* agrees to provide *Consultant* with all available information pertinent to the *Project*. *Client* will also provide copies of reports, drawings, and other data, and will, at *Consultant's* request, provide written authorization to review *Client's* files relative to the *Project* which may be in possession of third parties. *Consultant* agrees to return all original documents to *Client* upon completion of the *Project*, but reserves the right to make and keep reproducible copies of all such material.
3. Access to Facilities - *Client* will provide access for the *Consultant* to enter the property and facilities of *Client*, as necessary for *Consultant* to perform services as required under the *Project*.

4. Instruments of Service - All documents prepared in accordance with this contract including exhibits, field notes, laboratory data, original drawings, and specifications are the property of the *Client*. The *Consultant* is given the right to use any of this data in connection with future engineering projects. The *Consultant* may retain copies of reproducibles of any information prepared for this *Project*.
5. Fee - The *Consultant's* fee for the scope of services as stated in Attachment "A" provided by *Consultant* under this Agreement as set out in Attachment "A" and being the amount of: **\$99,670.00** for Engineering and Construction Phase Services.
6. Payment and Fee Schedule - The *Consultant* will submit a monthly invoice for services rendered.
7. Terms of Payment - Payment of fees as determined under Paragraph 5 herein above shall be due and payable by *Client* within thirty (30) days following receipt of *Consultant's* monthly invoice.
8. Additional Services - Additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor cost times a factor of 2.99 and direct cost plus 10%.
9. Insurance - *Consultant* shall maintain Worker's Compensation and Liability Insurance in accordance with Attachment "B".
10. Termination - The *Client* may terminate this contract at any time by giving notice in writing to the *Consultant*. In that case, all finished or unfinished documents and other materials produced under this contract shall become the *Client's* property. If the contract is terminated by the *Client* in accordance with this provision, *Consultant* shall be paid for all services performed to the date of termination.
11. Governing Law - This Agreement shall be deemed to have been made under, and shall be construed and interpreted in accordance with the laws of the State of Texas. The venue of any suit for enforcement or construction of this contract shall be in Galveston County, Texas.
12. Indemnification - For consideration received, the undersigned agrees to indemnify, save, defend and hold harmless the City of Texas City, Texas, its employees, officials, and agents from any and all claims, actions, damages, lawsuits, proceedings, judgments, or liabilities, for personal

injury, death or property damage resulting from the negligent acts or omissions of the undersigned or negligent acts or omissions of others under the undersigned's supervision or control arising out of the performance of this agreement.

13. Home Rule Municipality

The City is a municipality incorporated under the laws of the State of Texas, and all laws regulating and concerning Texas municipalities apply, including budgetary laws, The City Charter and The City Code. Consultant acknowledges that the City may only act through its City Commission or a duly authorized representative of City Commission, and that any act of an employee or officer of the City that is not duly authorized is void.

ENTERED INTO AND AGREED by the parties hereto as the day and year first written.

ARKK ENGINEERS, LLC  
Consultant

BY: Madhu Kilambi

MADHU KILAMBI, P.E.  
Senior Project Manager / Principal

CITY OF TEXAS CITY, TEXAS  
Client

BY: \_\_\_\_\_

MAYOR OF THE CITY OF TEXAS CITY

ATTEST: \_\_\_\_\_  
DIRECTOR OF FINANCE



## ATTACHMENT "A"

May 7, 2025

Mr. Corbin Ballast  
Director of Utilities  
City of Texas City  
911 Highway 146 North  
Texas City, Texas 77590

Re: Proposal for Engineering Design and Construction Phase Services for **"Rehabilitation of the Chlorination Building at Wallace R. Knox Wastewater Treatment Plant"**  
City of Texas City, Texas

Dear Mr. Ballast:

ARKK Engineers, LLC (ARKK) is pleased to submit this proposal for performing engineering services for the above project. The proposal is based on our understanding of the project as discussed in our previous meetings and conversations. For your convenience this proposal consists of General Overview, Scope of Services, and Fee.

### **GENERAL OVERVIEW**

The existing chlorination building at the Wallace R. Knox Wastewater Treatment Plant facility was originally constructed in or about 1994. This building houses the liquid chemicals that are used to disinfect and de-chlorinate the treated wastewater just prior to leaving the treatment plant facility. The building is subject to the corrosive effects of salt air and vapors from the liquid chemicals stored in the building. To rehabilitate this facility, the following scope of work is proposed:

- Prep and Recoat Exterior CMU Walls
- Prep and Coat Interior CMU walls
- Replace two (2) roll up doors
- Replace four (4) louver windows
- Replace all hanging shop lights
- Replace roof vent fans and motors
- Relocate chlorinator equipment from the walls to be on free-standing racks
- Recoat motor control center enclosures
- Install epoxy coating on floors
- Blast and recoat interior ceiling
- Recoat exterior awning ceiling

- Recoat exterior handrails
- Rehabilitate bituminous roof
- Install improve air handler and ventilation equipment
- Demo unused trolley cranes and other original equipment
- Pressure wash walkways

The estimated project budget for performing the improvements is **\$800,000**.

This proposal addresses the engineering services ARKK will provide the City during the Design and Construction Phases. The proposal is separated into Basic Services (expected normal engineering services) and Special Services. The following section details the scope of engineering services proposed for this Project.

## **SCOPE OF SERVICES**

### **I. DESIGN PHASE SERVICES**

#### **A. Basic Services - Design Phase**

- Perform field reconnaissance and measurements of the site to obtain information dimensions, materials, condition, and other items that impact the rehabilitation of the building facility.
- Meet with City of Texas City staff to discuss design elements and acquire pertinent information regarding the Project.
- Prepare engineering design of the building improvements, including specifications, drawings, and contract documents.
- Coordinate with the City of Texas City staff during the design phase. Provide draft documents for their review and comments.
- Provide the City with a scope of work document and cost estimate to tailor the scope to the needs of the project and to refine the budget.
- Prepare a final cost estimate for the project.
- Furnish three (3) sets of construction documents to the City.

#### **B. Special Services - Design Phase**

##### **1. Reproduction**

- Costs for reproduction will be charged under special services for reproduction of plans, specifications and reports beyond the three (3) sets of construction documents provided (as listed in the design services) to the City.

- Reproduction for review sets, submittals to the City, governmental agencies, and utility companies will be included in the cost for reproduction.

## **2. Permitting**

- Provide documents to the City Engineer's office for permits as may be required for the project.

## **II. BID PHASE SERVICES**

- Assist the City of Texas City (City) in obtaining bids for the project. The City will advertise the project and will absorb all related advertising costs. ARKK will coordinate with the City and will assist in developing the wording of the advertisement.
- Dispense construction documents from ARKK's office or via Civcast.com to potential bidders.
- During the bidding process, provide information to and answer questions from potential bidders concerning the Project's construction documents and prepare addendums as necessary.
- Conduct a pre-bid conference for potential bidders.
- Attend bid opening for the project.
- Prepare bid tabulation for the projects. Check the bids for mathematical errors and/or bid irregularities.
- Evaluate the bids and the qualifications of the apparent low bidders and advise the City as to the acceptability of the apparent low bidder.
- Prepare of letter of recommendation for award of construction contract for the project.
- Prepare and compile copies of the construction contract for execution by the Contractor and the City.
- Deliver executed contracts provided by the Contractor to the City

### **III. CONSTRUCTION PHASE SERVICES**

#### **A. Basic Services – Construction Phase**

- Prepare an agenda for the pre-construction conference.
- Conduct a pre-construction conference for the project.
- Prepare a summary of meeting minutes for the pre-construction conference and distribute to all attendees.
- Act as the City's Project representative during the construction phase.
- Review and respond accordingly to all submittals as required by the contract specifications.
- Prepare change orders necessitated by field conditions.
- Verify quantities installed for use in monthly pay estimates.
- Review the contractor's pay estimates, evaluate the completion of work and make payment recommendations to the City.
- Prepare the final cost estimate and close-out documents provided by the Contractor to the City.
- Visit the site at intervals appropriate to the various stages of construction to observe the progress and quality of executed work and to determine in general if such work is proceeding in accordance with the Contract Documents.
- ARKK will not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s) or the safety precautions and programs incident to the work of the Contractor(s). ARKK's effort will be directed toward providing a greater degree of confidence for the City that the completed work of Contractor(s) will conform to the Contract Documents, but ARKK will not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During site visits and on the basis of on-site observations ARKK shall keep the City informed of the progress of the work, shall endeavor to guard the City against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.
- Prepare a preliminary punch list for the project.

- Coordinate with the City on the punch list items identified from the final inspection and assist with subsequent follow up inspections.
- Conduct a final inspection of the Project and make a recommendation for Final Payment on the project.
- Engineer shall provide one set of reproducible record plans based on the Contractor's red line marked up as-built drawings.

## **B. Special Services – Construction Phase**

### **1. Construction Support Services:**

- Provide a project representative to periodically observe the progress of construction activities and to assist in the interpretation of plans and specifications.
- Provide engineering and technical office personnel support throughout construction.
- Assist City with conducting progress meetings for the project.
- Prepare a summary of meeting minutes for the monthly progress meetings and distribute to all attendees.
- The project-site representative will attend meetings with the Contractor and the City of Texas City such as pre-construction conference, progress meetings, and other project related meetings where his presence is requested by the City of Texas City.
- The project-site representative will take periodic photographs of the construction progress and of key items of concern.
- The project-site representative will estimate quantities installed for use in reviewing monthly pay estimates.
- The project-site representative will assist in the performance of a final inspection, the preparation of a punch list and subsequent follow up inspections.
- The project-site representative will be provided in an effort to aid in the process of observing performance of work of the Contractor(s). Through more extensive on-site observations of the work in progress, ARKK shall endeavor to provide further protection for the City of Texas City against defects and deficiencies in the

work of the contractor(s); but the furnishing of such on-site representative will not make ARKK responsible for construction means, methods, techniques, sequences or procedures or safety precautions or programs, or for Contractor(s) failure to perform their work in accordance with the Contract Documents.

**FEE**

**1. DESIGN PHASE**

Design Services: Lump Sum	\$52,760.00
Reproduction Budget: Cost plus 10%	\$ 1,500.00
Bid Phase Services: Lump Sum	<u>\$3,750.00</u>
<b>Total Design Phase Amount</b>	<b>\$58,010.00</b>

**2. CONSTRUCTION PHASE SERVICES**

Construction Administration Services: Lump Sum	\$ 23,660.00
Construction Support Services Budget: (Hourly and cost plus 10%)	<u>\$18,000.00</u>
<b>Total Construction Phase Amount</b>	<b>\$41,660.00</b>

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**Total All Services** **\$99,670.00**

The construction support services budgetary fees are based on providing a project site representative on a periodic basis. Hourly charges for on-site field representative shall be charged based on a raw labor rate times a multiplier of 2.70. Mileage will be charged at the prevailing IRS rate. Reimbursable expenses will be charged at cost plus 10%.

ARKK Engineers, LLC appreciates the opportunity to submit this proposal and we look forward to continuing working with the City of Texas City on this very important project.

Sincerely,

ARKK ENGINEERS, LLC



Madhu Kilambi, P.E.

Senior Project Manager / Principal

**ATTACHMENT "B"**

**INSURANCE LIMITS**

1.	General Liability	Each Occurrence:	\$1,000,000
		Damage to Rented Premises	\$1,000,000
		Medical Expenses (any one person)	\$10,000
		Personal and Adv. Injury	\$1,000,000
		General Aggregate:	\$2,000,000
		Products - Comp/Op Agg:	\$2,000,000
2.	Automobile Liability	Combined Single Limit:	\$1,000,000
3.	Excess Liability Umbrella Form	Each Occurrence:	\$1,000,000
		Aggregate:	\$1,000,000
4.	Worker's Compensation and Employers Liability	Each Accident:	\$500,000
		Disease - Each Employee:	\$500,000
		Disease - Policy Limit:	\$500,000
5.	Professional Liability	Each Claim	\$1,000,000
		Policy Year Aggregate	\$1,000,000

**RESOLUTION NO. 2025-055**

**A RESOLUTION ACCEPTING A PROPOSAL FOR THE REHABILITATION OF THE CHLORINATION BUILDING AT WALLACE R. KNOX WASTEWATER TREATMENT PLANT FROM ARKK ENGINEERS, LLC; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

---

**WHEREAS**, the Texas City Public Works Department is requesting the approval of an Agreement for Service with ARKK Engineers, LLC, to provide services for the Rehabilitation of the Chlorination Building at the Knox WWTP; and

**WHEREAS**, ARKK Engineers, LLC, has submitted an Agreement for Service; and

**WHEREAS**, the cost for the Engineering Service Agreement is approximately \$99,670.00.

**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 proposal by ARKK Engineers, LLC, to provide engineering services for the Rehabilitation of the Chlorination Building at the Knox WWTP.

**SECTION 2:** That the Mayor is hereby authorized to execute the Agreement for Service with ARKK Engineers, LLC, and execute change orders not to exceed 25.0 % of the total amount, in the form attached hereto as **Exhibit "A"** and made a part hereof for all intents and purposes.

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

**PASSED AND ADOPTED this 21st day of May 2025.**

---

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

**CITY COMMISSION REGULAR MTG**

**(8) (g)**

**Meeting Date:** 05/21/2025

Approve resolution supporting concurrent Texas Enterprise Zone for Marathon - 1 of 2

**Submitted For:** Kristin Edwards, Economic Development

**Submitted By:** Kristin Edwards, Economic Development

**Department:** Economic Development

**Information**

**ACTION REQUEST**

Approve Resolution 2025-056, supporting Marathon Petroleum Company LP’s Texas Enterprise Zone application to the State of Texas, for the purpose of a concurrent enterprise project.

**BACKGROUND (Brief Summary)**

The City of Texas City was approached by a third-party consultant hired by Marathon Petroleum Company LP to pursue a concurrent Texas Enterprise Zone designation for a \$300 million project with a facility headcount of 1,500 employees.

A Texas Enterprise Zone is a State sales and use tax refund program designed to encourage private investment and job creation in economically distressed areas of the state.

The City’s role is to nominate Marathon Petroleum Company LP for concurrent enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability.

As the project meets both the funding requirements and the employment level required for a Texas Enterprise Zone, we will be asking for the City Commission’s approval of two Resolutions affirming the City’s support.

The City has not committed to, nor is expected to, provide any additional incentives for the project. With the City Commission’s approval, Marathon Petroleum Company LP will move forward with their application to the State of Texas for a concurrent enterprise zone designation.

**RECOMMENDATION**

Approve Resolution 2025-XX, supporting Marathon Petroleum Company LP’s Texas Enterprise Zone application to the State of Texas, for the purpose of a concurrent enterprise project.

**Fiscal Impact**

**Funds Available Y/N:** Y

**Amount Requested:** \$0

**Source of Funds:**

**Account #:**

**Fiscal Impact:**

---

**Attachments**

TEZ request letter - Marathon  
Resolution

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**From:** Burgy, Nicole M. <nmburgy@marathonpetroleum.com>

**Sent:** Wednesday, May 14, 2025 9:33 AM

**To:** kedwards@texascitytx.gov

**Cc:** Murray, Kip E. <kemurray@marathonpetroleum.com>; Burgy, Nicole M. <nmburgy@marathonpetroleum.com>; Lenhart, Jeff D.; Jeff Bevill <Jeff.Bevill@ryan.com>; Jonathan Ferguson <Jonathan.Ferguson@ryan.com>; Konig, Stephen M. <SMKonig@Marathonpetroleum.com>

**Subject:** Marathon Petroleum Company LP – Request for Concurrent Nominations – Texas City

Hi Kristin,

Marathon Petroleum Company LP (“Marathon”) would like to respectfully request two concurrent Texas Enterprise Zone nominations from Texas City for its Galveston Bay Refinery for two June 2<sup>nd</sup> Application submissions. The Galveston Bay Refinery has plans to invest \$750 million over the next five years in order to update and improve its refinery processes. One of the proposed projects Marathon would like to highlight is the Distillate Hydrotreater expansion project. The project will upgrade low-value, unfinished distillate (currently sold as feedstocks or blending components) into high-value, finished product while achieving high volume expansion yields. The project is expected to increase capacity by 20%. For purposes of the Applications, Marathon will allocate individual projects within the proposed capital investment to each Application. Marathon’s 1,500+ workforce qualifies the project to apply concurrently as each designation can qualify for benefits for up to 500 employees. Marathon is proud to be an integral part of the Texas City community and will continue to be an active participant, contributor, and corporate citizen. We look forward to working with Texas City in the coming years and would like to thank the City for its consideration.

Thank you and please let me know if you have any questions. Thank you.

Nicole M. Burgy, Esq.

Senior Director Tax Operations

Marathon Petroleum Company LP

Office: 419.421.2687

Cell: 419.306.1068

[NMBurgy@marathonpetroleum.com](mailto:NMBurgy@marathonpetroleum.com)

## **RESOLUTION NO. 2025-056**

**A RESOLUTION AFFIRMING THE CITY'S SUPPORT OF MARATHON PETROLEUM COMPANY LP'S TEXAS ENTERPRISE ZONE PROJECT APPLICATION TO THE STATE OF TEXAS; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, the City of Texas City previously passed Ordinance No. 2024-28 amending Ordinance No. 13-13, which amended Ordinance No. 04-42 relating to the City's participation in the Texas Enterprise Zone Program in accordance with the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code; expanding the list of local incentives offered within the City's jurisdiction; and

**WHEREAS**, the Office of the Governor Economic Development and Tourism (EDT) through the Economic Development Bank (Bank) will consider Marathon Petroleum Company LP as a concurrent enterprise project pursuant to a nomination and an application made by the City; and

**WHEREAS**, the City finds that it is in full compliance with Chapter 2303, Texas Government Code prior to nomination of an eligible business; and

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), Marathon Petroleum Company LP has applied to the City for designation as a concurrent enterprise project;

**WHEREAS**, the City finds that Marathon Petroleum Company LP meets the criteria for designation as a concurrent enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Marathon Petroleum Company LP is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located outside of an enterprise zone and at least thirty-five percent (35%) of the business' new permanent jobs will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of Marathon Petroleum Company LP as a concurrent enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**WHEREAS**, the City finds that Marathon Petroleum Company LP meets the criteria for tax relief and other incentives adopted by the City and nominates Marathon Petroleum Company LP for concurrent enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

**WHEREAS**, the City finds it is in the best interest of the City to nominate Marathon Petroleum Company LP as a concurrent enterprise project pursuant to the Act.

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

**SECTION 1:** That the findings of the City and its actions approving this resolution taken at the commission meeting are hereby approved and adopted.

**SECTION 2:** That Marathon Petroleum Company LP is a “qualified business”, as defined in Section 2303.402 of the Act, and meets the criteria for designation as a concurrent enterprise project, as set forth in Section 2303, Subchapter F of the Act.

**SECTION 3:** That the concurrent enterprise project shall take effect on the date of designation of the enterprise project by the Office of the Governor Economic Development and Tourism and terminate five years after that date.

**PASSED AND ADOPTED this 21st day of May, 2025.**

\_\_\_\_\_  
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

**CITY COMMISSION REGULAR MTG**

(8) (h)

**Meeting Date:** 05/21/2025

Approve resolution supporting concurrent Texas Enterprise Zone for Marathon - 2 of 2

**Submitted For:** Kristin Edwards, Economic Development

**Submitted By:** Kristin Edwards, Economic Development

**Department:** Economic Development

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**Information**

**ACTION REQUEST**

Approve Resolution 2025-057, supporting Marathon Petroleum Company LP's Texas Enterprise Zone application to the State of Texas, for the purpose of a concurrent enterprise project.

**BACKGROUND (Brief Summary)**

The City of Texas City was approached by a third-party consultant hired by Marathon Petroleum Company LP to pursue a concurrent Texas Enterprise Zone designation for a \$300 million project with a facility headcount of 1,500 employees.

A Texas Enterprise Zone is a State sales and use tax refund program designed to encourage private investment and job creation in economically distressed areas of the state.

The City's role is to nominate Marathon Petroleum Company LP for concurrent enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability.

As the project meets both the funding requirements and the employment level required for a Texas Enterprise Zone, we will be asking for the City Commission's approval of two Resolutions affirming the City's support.

The City has not committed to, nor is expected to, provide any additional incentives for the project. With the City Commission's approval, Marathon Petroleum Company LP will move forward with their application to the State of Texas for a concurrent enterprise zone designation.

**RECOMMENDATION**

Approve Resolution 2025-XX, supporting Marathon Petroleum Company LP's Texas Enterprise Zone application to the State of Texas, for the purpose of a concurrent enterprise project.

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**Fiscal Impact**

**Funds Available Y/N:** Y

**Amount Requested:** \$0

**Source of Funds:**

**Account #:**

**Fiscal Impact:**



**Attachments**

TEZ request letter - Marathon  
Resolution



**From:** Burgy, Nicole M. <nmburgy@marathonpetroleum.com>

**Sent:** Wednesday, May 14, 2025 9:33 AM

**To:** kedwards@texascitytx.gov

**Cc:** Murray, Kip E. <kemurray@marathonpetroleum.com>; Burgy, Nicole M. <nmburgy@marathonpetroleum.com>; Lenhart, Jeff D.; Jeff Bevill <Jeff.Bevill@ryan.com>; Jonathan Ferguson <Jonathan.Ferguson@ryan.com>; Konig, Stephen M. <SMKonig@Marathonpetroleum.com>

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Thank you and please let me know if you have any questions. Thank you.

Nicole M. Burgy, Esq.

Senior Director Tax Operations

Marathon Petroleum Company LP

Office: 419.421.2687

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## **RESOLUTION NO. 2025-057**

**A RESOLUTION AFFIRMING THE CITY'S SUPPORT OF MARATHON PETROLEUM COMPANY LP'S TEXAS ENTERPRISE ZONE PROJECT APPLICATION TO THE STATE OF TEXAS; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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3. The designation of Marathon Petroleum Company LP as a concurrent enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**WHEREAS**, the City finds that Marathon Petroleum Company LP meets the criteria for tax relief and other incentives adopted by the City and nominates Marathon Petroleum Company LP for concurrent enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

**WHEREAS**, the City finds it is in the best interest of the City to nominate Marathon Petroleum Company LP as a concurrent enterprise project pursuant to the Act.

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

**SECTION 1:** That the findings of the City and its actions approving this resolution taken at the commission meeting are hereby approved and adopted.

**SECTION 2:** That Marathon Petroleum Company LP is a “qualified business”, as defined in Section 2303.402 of the Act, and meets the criteria for designation as a concurrent enterprise project, as set forth in Section 2303, Subchapter F of the Act.

**SECTION 3:** That the concurrent enterprise project shall take effect on the date of designation of the enterprise project by the Office of the Governor Economic Development and Tourism and terminate five years after that date.

**PASSED AND ADOPTED this 21st day of May, 2025.**

\_\_\_\_\_  
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

**CITY COMMISSION REGULAR MTG**

**(9) (a)**

**Meeting Date:** 05/21/2025

Ordinance to Issue Certificates of Obligation, Series 2025

**Submitted For:** Finance Department, Finance      **Submitted By:** Finance Department,  
Finance

**Department:** Finance

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**Information**

**ACTION REQUEST**

Approve the issuance of certificate of obligation bonds (\$75M) for capital projects: Municipal Complex, Engineering/Public Works Facility Expansion, Library Renovation, and New Fire Station.

**BACKGROUND (Brief Summary)**

On March 19th, the Commission authorized the Publication of Notice of Intent to issue Texas Certificate of Obligations (CO), Series 2025. The CO funding uses of \$75M are for the following capital projects:

- New Municipal Complex (\$55M)
- Engineering/Public Works Facility Expansion (\$3M)
- New Fire Station (\$14.1M)
- Library Renovations/Repairs (\$1.5M)

**RECOMMENDATION**

Finance recommends the approval for the issuance of the Texas Certificates of Obligation, Series 2025, not to exceed \$75M.

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**Fiscal Impact**

**Attachments**

Ordinance

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**ORDINANCE NO. 2025-11**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF TEXAS CITY, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2025; DIRECTING THE CHIEF EXECUTIVE OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE BUDGET AMENDMENT IN THE OFFICE OF THE GALVESTON COUNTY CLERK; DISPENSING WITH THE REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, the City Commission of the City of Texas City, Texas (the “City”), authorized the publication of a notice of intention to issue certificates of obligation to the effect that the City Commission would tentatively meet on May 21, 2025, to adopt an ordinance and take such other action as may be deemed necessary to authorize the issuance of certificates of obligation (the “Certificates”) payable from City ad valorem taxes and from a limited pledge of a subordinate lien on the net revenues of the City’s waterworks and sanitary sewer system, collected by the City, for the purpose of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the construction and rehabilitation of City water and sewer systems and related street repairs; and (ii) to pay the costs associated with the issuance of the Certificates; and

**WHEREAS**, such notice was published at the times and in the manner required by the Constitution and laws of the State of Texas and of the United States of America, respectively, particularly Subchapter C of Chapter 271, Texas Local Government Code; and

**WHEREAS**, approval of the issuance of the Certificates occurred at regular meeting on May 19, 2025; and

**WHEREAS**, Section 271.047(d), Texas Local Government Code provides that the City may not authorize the issuance of the Certificates if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding three years and failed to be approved; and

**WHEREAS**, the City Commission hereby finds that no such bond proposition was submitted to the voters of the City during the preceding three years; and

**WHEREAS**, no petition or other request has been filed with or presented to any official of the City requesting that any of the proceedings authorizing the Certificates be submitted to a referendum or other election.

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

**SECTION 1: Recitals.** It is hereby found and determined that the matters and facts set out in the preamble to this Ordinance are true and correct.

**SECTION 2: Definitions.** Throughout this ordinance the following terms and expressions as used herein shall have the meanings set forth below:

“Act” means Subchapter C of Chapter 271, Texas Local Government Code.

“Business Day” means any day which is not a Saturday, Sunday, a day on which the Registrar is authorized by law or executive order to close, or a legal holiday.

“Certificate” or “Certificates” means the City of Texas City, Texas, Certificates of Obligation, Series 2025 authorized in this Ordinance, unless the context clearly indicates otherwise.

“City” means the City of Texas City, Texas.

“Closing Date” means the date of the initial delivery of and payment for the Certificates.

“Code” means the Internal Revenue Code of 1986, as amended.

“Comptroller” means the Comptroller of Public Accounts of the State of Texas.

“DTC” means The Depository Trust Company of New York, New York, or any successor securities depository.

“DTC Participant” means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

“Interest and Sinking Fund” means the interest and sinking fund for payment of the Certificates established by the City in Section 20 of this Ordinance.

“Interest Payment Date”, when used in connection with any Certificate, means February 15, 2026, and each August 15 and February 15 thereafter until maturity or earlier redemption.

“Initial Certificate” means the Initial Certificate authorized by Section 6(d).

“Initial Purchaser” means \_\_\_\_\_.

“Issuance Date”, with respect to the Initial Certificate delivered to the Initial Purchaser, means the date on which the Initial Certificate is delivered to and paid for by the Initial Purchaser. Certificates delivered on transfer of or in exchange for other certificates shall bear the same Issuance Date as the Certificate or Certificates in lieu of or in exchange for which the new Certificate is delivered.

“Official Bid Form” means the bid form executed by the Initial Purchaser and the District as further described in Section 24.

“Ordinance” as used herein and in the Certificates means this ordinance authorizing the Certificates.

“Owner” means any person who shall be the registered owner of any outstanding Certificate.

“Record Date” means, for any Interest Payment Date, the close of business on the last business day of the month preceding such Interest Payment Date.

“Register” means the books of registration kept by the Registrar in which are maintained the names and addresses of and the principal amounts registered to each Owner.

“Registrar” means the Paying Agent/Registrar, The Bank of New York Mellon Trust Company, N.A., and its successors in that capacity.

**SECTION 3: Authorization.** The Certificates shall be issued pursuant to the Act in fully registered form, without coupons, in the total authorized principal amount of [\$\_\_\_\_\_] for the purpose of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the construction and rehabilitation of City water and sewer systems and related street repairs; and (ii) to pay the costs associated with the issuance of the Certificates.

**SECTION 4: Designation, Date, and Interest Payment Dates.** The Certificates shall be designated as the “CITY OF TEXAS CITY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2025”, and shall be dated May \_\_, 2025. The Certificates shall bear interest at the rates set forth in Section 5 of this Ordinance from the later of Issuance Date, or the most recent Interest Payment Date to which such interest has been paid or duly provided for, calculated on the basis of a 360-day year of twelve 30-day months, interest payable on each Interest Payment Date.

**SECTION 5: Initial Certificates; Numbers and Denominations.** The Certificates shall be initially issued in the principal amounts and bearing interest at the rates set forth in the following schedule, and may be transferred and exchanged as set out in this Ordinance. The Certificates shall mature on February 15 in each of the years and in the amounts set out in such schedule. The Initial Certificate shall be numbered I-1 and all other Certificates shall be numbered in sequence beginning with R-1. Certificates delivered on transfer of or in exchange for other Certificates shall be numbered in order of their authentication by the Registrar, shall be in the denomination of \$5,000 or integral multiples thereof, and shall mature on the same date and bear interest at the same rate as the Certificate or Certificates in lieu of which they are delivered.

<b>Year</b>	<b>Principal Amount</b>	<b>Interest Rate</b>
2026	\$	%
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		
2039		
2040		
2041		
2042		
2043		
2044		
2045		
2046		

**SECTION 6: Execution of Certificates; Seal.** (a) The Certificates shall be signed on behalf of the City by the Mayor and countersigned by the City Secretary, by their manual, lithographed, or facsimile signatures, and the official seal of the City shall be impressed or placed in facsimile thereon. Such facsimile signatures on the Certificates shall have the same effect as if each of the Certificates had been signed manually and in person by each of said officers, and such facsimile seal on the Certificates shall have the same effect as if the official seal of the City had been manually impressed upon each of the Certificates.

(b) If any officer of the City whose manual or facsimile signature shall appear on the Certificates shall cease to be such officer before the authentication of such Certificates or before

the delivery of such Certificates, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Certificate shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Registrar's Authentication Certificate substantially in the form provided herein, duly authenticated by manual execution by an officer or duly authorized signatory of the Registrar. In lieu of the executed Registrar's Authentication Certificate described above, the Initial Certificate delivered at the Closing Date shall have attached hereto the Comptroller's Registration Certificate substantially in the form provided herein, manually executed by the Comptroller, or by his duly authorized agent, which certificate shall be evidence that the Initial Certificate has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the City, and has been registered by the Comptroller.

(d) On the Closing Date, the Initial Certificate, being a single certificate representing the entire principal amount of the Certificates, payable in stated installments to the Purchaser or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the City, approved by the Attorney General, and registered and manually signed by the Comptroller, shall be delivered to the Purchaser or its designee. Upon payment for the Initial Certificate, the Registrar shall cancel the Initial Certificate and deliver definitive Certificates to DTC.

**SECTION 7: Payment of Principal and Interest.** The Registrar is hereby appointed as the paying agent for the Certificates pursuant to the Paying Agent/Registrar Agreement, which is hereby authorized and approved. The principal of the Certificates shall be payable, without exchange or collection charges, in any coin or currency of the United States of America which, on the date of payment, is legal tender for the payment of debts due the United States of America, upon their presentation and surrender as they become due and payable at the principal payment office of the Registrar in Dallas, Texas. The interest on each Certificate shall be payable by check payable on the Interest Payment Date, mailed by the Registrar on or before each Interest Payment Date to the Owner of record as of the Record Date, to the address of such Owner as shown on the Register.

If the date for payment of the principal of or interest on any Certificate is not a Business Day, then the date for such payment shall be the next succeeding Business Day, with the same force and effect as if made on the original date payment was due.

**SECTION 8: Successor Registrars.** The City covenants that at all times while any Certificates are outstanding it will provide a commercial bank or trust company organized under the laws of the United States or any state and duly qualified and legally authorized to serve as Registrar for the Certificates. The City reserves the right to change the Registrar on not less than 60 days written notice to the Registrar, so long as any such notice is effective not less than 60 days prior to the next succeeding principal or interest payment date on the Certificates. Promptly upon the appointment of any successor Registrar, the previous Registrar shall deliver the Register or copies thereof to the new Registrar, and the new Registrar shall notify each Owner, by United States mail, first class postage prepaid, of such change and of the address of the new Registrar. Each Registrar hereunder, by acting in that capacity, shall be deemed to have agreed to the provisions of this Section.

**SECTION 9: Special Record Date.** If interest on any Certificate is not paid on any Interest Payment Date and continues unpaid for thirty (30) days thereafter, the Registrar shall establish a new record date for the payment of such interest, to be known as a Special Record Date. The Registrar shall establish a Special Record Date when funds to make such interest payment are received from or on behalf of the City. Such Special Record Date shall be fifteen (15) days prior to the date fixed for payment of such past due interest, and notice of the date of payment and the Special Record Date shall be sent by United States mail, first class postage prepaid, not later than five (5) days prior to the Special Record Date, to each affected Owner of record as of the close of business on the day prior to the mailing of such notice.

**SECTION 10: Ownership; Unclaimed Principal and Interest.** The City, the Registrar and any other person may treat the person in whose name any Certificate is registered as the absolute Owner of such Certificate for the purpose of making payment of principal or interest on such Certificate, and for all other purposes, whether or not such Certificate is overdue, and neither the City nor the Registrar shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Owner of any Certificate in accordance with this Section shall be valid and effectual and shall discharge the liability of the City and the Registrar upon such Certificate to the extent of the sums paid.

Amounts held by the Registrar which represent principal of and interest on the Certificates remaining unclaimed by the Owner after the expiration of three years from the date such amounts have become due and payable shall be reported and disposed of by the Registrar in accordance with the applicable provisions of Texas law including, to the extent applicable, Title 6 of the Texas Property Code, as amended.

**SECTION 11: Registration, Transfer, and Exchange.** So long as any Certificates remain outstanding, the Registrar shall keep the Register at its principal payment office in Dallas, Texas, and, subject to such reasonable regulations as it may prescribe, the Registrar shall provide for the registration and transfer of Certificates in accordance with the terms of this Ordinance.

Each Certificate shall be transferable only upon the presentation and surrender thereof at the principal payment office of the Registrar in Dallas, Texas, duly endorsed for transfer, or accompanied by an assignment duly executed by the registered Owner or his authorized representative in form satisfactory to the Registrar. Upon due presentation of any Certificate in proper form for transfer, the Registrar shall authenticate and deliver in exchange therefor, within three Business Days after such presentation, a new Certificate or Certificates, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Certificate or Certificates so presented.

All Certificates shall be exchangeable upon presentation and surrender at the principal payment office of the Registrar in Dallas, Texas, for a Certificate or Certificates of like maturity and interest rate and in any authorized denomination, in an aggregate amount equal to the unpaid principal amount of the Certificate or Certificates presented for exchange. The Registrar shall be and is hereby authorized to authenticate and deliver exchange Certificates in accordance with the provisions of this Section. Each Certificate delivered in accordance with this Section shall be

entitled to the benefits and security of this Ordinance to the same extent as the Certificate or Certificates in lieu of which such Certificate is delivered.

The City or the Registrar may require the Owner of any Certificate to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Certificate. Any fee or charge of the Registrar for such transfer or exchange shall be paid by the City.

**SECTION 12: Mutilated, Lost, or Stolen Certificates.** Upon the presentation and surrender to the Registrar of a mutilated Certificate, the Registrar shall authenticate and deliver in exchange therefor a replacement Certificate of like maturity, interest rate, and principal amount, bearing a number not contemporaneously outstanding. If any Certificate is lost, apparently destroyed, or wrongfully taken, the City, pursuant to the applicable laws of the State of Texas and in the absence of notice or knowledge that such Certificate has been acquired by a bona fide purchaser, shall authorize and the Registrar shall authenticate and deliver a replacement Certificate of like maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding.

The City or the Registrar may require the Owner of a mutilated Certificate to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection therewith and any other expenses connected therewith, including the fees and expenses of the Registrar.

The City or the Registrar may require the Owner of a lost, apparently destroyed or wrongfully taken Certificate, before any replacement Certificate is issued, to:

- (1) furnish to the City and the Registrar satisfactory evidence of the ownership of and the circumstances of the loss, destruction or theft of such Certificate;
- (2) furnish such security or indemnity as may be required by the Registrar and the City to save them harmless;
- (3) pay all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Registrar and any tax or other governmental charge that may be imposed; and
- (4) meet any other reasonable requirements of the City and the Registrar.

If, after the delivery of such replacement Certificate, a bona fide purchaser of the original Certificate in lieu of which such replacement Certificate was issued presents for payment such original Certificate, the City and the Registrar shall be entitled to recover such replacement Certificate from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Registrar in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken Certificate has become or is about to become due and payable, the City in its discretion may, instead of issuing a replacement Certificate, authorize the Registrar to pay such Certificate.

Each replacement Certificate delivered in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Certificate or Certificates in lieu of which such replacement Certificate is delivered.

**SECTION 13: Cancellation of Certificates.** All Certificates paid in accordance with this Ordinance, and all Certificates in lieu of which exchange Certificates or replacement Certificates are authenticated and delivered in accordance herewith, shall be canceled and destroyed upon the making of proper records regarding such payment. The Registrar shall furnish the City with appropriate certificates of destruction of such Certificates.

**SECTION 14: Book-Entry System.** (a) The Initial Certificate shall be registered in the name of the Initial Purchaser. Except as provided in Section 15 hereof, all other Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the City and the Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such DTC Participant holds an interest in the Certificates, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the City and the Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Certificates, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any amount with respect to principal of, premium, if any, or interest on the Certificates. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Register as the absolute Owner of such Certificate for the purpose of payment of principal of and interest on the Certificates, for the purpose of giving notices of redemption and other matters with respect to such Certificate, for the purpose of registering transfer with respect to such Certificate, and for all other purposes whatsoever. The Registrar shall pay all principal of, premium, if any, and interest on the Certificates only to or upon the order of the respective Owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payments of principal, premium, if any, and interest on the Certificates to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Register, shall receive a certificate evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions of this Ordinance with respect to interest checks being mailed to the Owner of record as of the Record Date, the phrase "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

**SECTION 15: Successor Securities Depository; Transfer Outside Book-Entry Only**

**System.** In the event that the City in its sole discretion, determines that the beneficial owners of the Certificates shall be able to obtain certificated Certificates, or in the event DTC discontinues the services described herein, the City shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts, as identified by DTC. In such event, the Certificates shall not longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

**SECTION 16: Payments to Cede & Co.** Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificates are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Certificates, and all notices with respect to such Certificates, shall be made and given, respectively, in the manner provided in the Blanket Letter of Representations.

**SECTION 17: Optional and/or Mandatory Redemption.** The Certificates are subject to optional and/or mandatory redemption as set forth in the Form of Certificate in this Ordinance.

Principal amounts may be redeemed only in integral multiples of \$5,000. If a Certificate subject to redemption is in a denomination larger than \$5,000, a portion of such Certificate may be redeemed, but only in integral multiples of \$5,000. Upon surrender of any Certificate for redemption in part, the Registrar, in accordance with Section 11 hereof, shall authenticate and deliver in exchange therefor a Certificate or Certificates of like maturity, Issuance Date, and interest rate in an aggregate principal amount equal to the unredeemed portion of the Certificate so surrendered.

Notice of any redemption identifying the Certificates to be redeemed in whole or in part shall be given by the Registrar at least thirty days prior to the date fixed for redemption by sending written notice by first class mail, postage prepaid, to the Owner of each Certificate to be redeemed in whole or in part at the address shown on the Register. Such notices shall state the redemption date, the redemption price, the place at which Certificates are to be surrendered for payment and, if less than all Certificates outstanding of a particular maturity are to be redeemed, the numbers of the Certificates or portions thereof of such maturity to be redeemed. Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar for payment of the redemption price of the Certificates or portions thereof to be redeemed, plus accrued interest to the date fixed for redemption. When Certificates have been called for redemption in whole or in part and due provision has been made to redeem the same as herein provided, the Certificates or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after the

redemption date on any Certificate or portion thereof called for redemption shall terminate on the date fixed for redemption.

The City reserves the right to redeem or defease the Certificates in any manner now or hereafter permitted by law.

**SECTION 18: Forms.** The form of the Certificates, including the form of Registration Certificate of the Comptroller of Public Accounts, which shall be attached or affixed to the Initial Certificate, the form of the Registrar’s Authentication Certificate, and the form of Assignment, shall be, respectively, substantially as follows, with such additions, deletions and variations as may be necessary or desirable and not prohibited by this Ordinance, including any legend regarding bond insurance if such insurance is obtained by the Initial Purchaser:

(a) Form of Certificate.

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF GALVESTON

REGISTERED  
NUMBER

\_\_\_\_\_

REGISTERED  
DENOMINATION  
\$ \_\_\_\_\_

CITY OF TEXAS CITY, TEXAS  
CERTIFICATE OF OBLIGATION  
SERIES 2025

INTEREST RATE:      MATURITY DATE:      DATED DATE:      CUSIP:  
                                 February 15, 20\_\_      May \_\_, 2025

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The City of Texas City, Texas (the “City”) promises to pay to the registered owner identified above, or registered assigns, on the maturity date specified above, upon presentation and surrender of this Certificate at The Bank of New York Mellon Trust Company, N.A., (the “Registrar”) at its principal payment office in Dallas, Texas, the principal amount identified above, payable in any coin or currency of the United States of America which on the date of payment of such principal is legal tender for the payment of debts due the United States of America, and to pay interest thereon at the rate shown above, calculated on the basis of a 360-day year of twelve 30-day months, from the later of May 26, 2025, or the most recent interest payment date to which interest has been paid or duly provided for. Interest on this Certificate is payable by check on each February 15 and August 15, beginning on February 15, 2019, mailed to the registered owner of record as of the close of business on the last business day of the month preceding each interest payment date.

THIS CERTIFICATE is one of a duly authorized issue of certificates of obligation, aggregating \$ \_\_\_\_\_ (the "Certificates"), issued in accordance with the Constitution and laws of the State of Texas, particularly Subchapter C of Chapter 271, Texas Local Government Code, for the purpose of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the construction and rehabilitation of City water and sewer systems and related street repairs; and (ii) to pay the costs associated with the issuance of the Certificates; and pursuant to an ordinance duly adopted by the City Commission of the City (the "Ordinance"), which Ordinance is of record in the official minutes of the City Commission.

THE CITY RESERVES THE RIGHT to redeem Certificates maturing on and after February 15, 2046, prior to their scheduled maturities, in whole or in part, in integral multiples of \$5,000, on February 15, 2045 or any date thereafter at par plus accrued interest on the principal amounts called for redemption to the date fixed for redemption. Reference is made to the Ordinance for complete details concerning the manner of redeeming the Certificates.

NOTICE OF ANY REDEMPTION shall be given at least thirty (30) days prior to the date fixed for redemption by first class mail, addressed to the registered owner of each Certificate to be redeemed in whole or in part at the address shown on the books of registration kept by the Registrar. When Certificates or portions thereof have been called for redemption, and due provision has been made to redeem the same, the principal amounts so redeemed shall be payable solely from the funds provided for redemption, and interest which would otherwise accrue on the amounts called for redemption shall terminate on the date fixed for redemption.

THIS CERTIFICATE is transferable only upon presentation and surrender at the principal payment office of the Registrar in Dallas, Texas, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his authorized representative, subject to the terms and conditions of the Ordinance.

THE CERTIFICATES are exchangeable at the principal payment office of the Registrar in Dallas Texas, for Certificates in the principal amount of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Ordinance.

THIS CERTIFICATE shall not be valid or obligatory for any purpose or be entitled to any benefit under the Ordinance unless this Certificate is either (i) registered by the Comptroller of Public Accounts of the State of Texas by registration certificate attached or affixed hereto or (ii) authenticated by the Registrar by due execution of the authentication certificate endorsed hereon.

THE REGISTERED OWNER of this Certificate, by acceptance hereof, acknowledges and agrees to be bound by all the terms and conditions of the Ordinance.

THE CITY has covenanted in the Ordinance that it will at all times provide a legally qualified registrar for the Certificates and will cause notice of any change of registrar to be mailed to each registered owner.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be performed, to exist and to be done precedent to or in the issuance and delivery of this Certificate have been performed, exist and have been done in accordance with law; and that annual ad valorem taxes,

within the limits prescribed by law, sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in the City.

IT IS FURTHER certified, recited and represented that the revenues, in an amount not to exceed \$10,000 to be derived from the operation of the City’s waterworks and sanitary sewer system, collected by the City, after the payment of all operation and maintenance expenses thereof (the “Net Revenues”), are pledged to the payment of the principal of and interest on the Certificates; provided, however, that such pledge is and shall be junior and subordinate in all respects to the pledge of the Net Revenues to the payment of all outstanding obligations of the City and any obligation of the City, whether authorized heretofore or hereafter, which the City designates as having a pledge senior to the pledge of the Net Revenues to the payment of the Certificates. The City also reserves the right to issue, for any lawful purpose at any time, in one or more installments, bonds, certificates of obligation and other obligations of any kind payable in whole or in part from the Net Revenues, secured by a pledge of the Net Revenues that may be prior and superior in right to, on a parity with, or junior and subordinate to the pledge of the Net Revenues securing the Certificates.

IN WITNESS WHEREOF, this Certificate has been signed with the manual or facsimile signature of the Mayor and countersigned with the manual or facsimile signature of the City Secretary, and the official seal of the City has been duly impressed, or placed in facsimile, on this Certificate.

(AUTHENTICATION  
CERTIFICATE)

(SEAL)

CITY OF TEXAS CITY, TEXAS

Mayor

City Secretary

**(b) Form of Registration Certificate.**

COMPTROLLER’S REGISTRATION CERTIFICATE: REGISTER NO. \_\_\_\_\_

I hereby certify that this Certificate has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Certificate has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL this \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Comptroller of the State of Texas of

P

(c) Form of Registrar's Authentication Certificate.

AUTHENTICATION CERTIFICATE

It is hereby certified that this Certificate has been delivered pursuant to the Ordinance described in the text of this Certificate.

\_\_\_\_\_  
The Bank of New York Mellon Trust Company,  
N.A.  
As Paying Agent/Registrar

By:  
Authorized Signature \_\_\_\_\_  
Date of Authentication \_\_\_\_\_

(d) Form of Assignment.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

\_\_\_\_\_  
(Please print or type name, address, and zip code of Transferee)

\_\_\_\_\_  
(Please insert Social Security or Taxpayer Identification Number of Transferee)  
the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints

attorney to transfer said Certificate on the books kept for registration thereof, with full power of substitution in the premises.

DATED:

Signature Guaranteed:

Registered Owner

NOTICE: The signature above must correspond to the name of the registered owner as shown on the face of this Certificate in every particular, without any alteration, enlargement or change whatsoever.

NOTICE: Signature must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

(e) The Initial Certificate shall be in the form set forth in paragraphs (a), (b) and (d) of this Section, except for the following alterations:

(i) immediately under the name of the Certificate, the headings “INTEREST RATE” and “MATURITY DATE” shall both be completed with the words “As Shown Below” and the word “CUSIP” deleted;

(ii) in the first paragraph of the Certificate, the words “on the maturity date specified above” and “at the rate shown above” shall be deleted and the following shall be inserted at the end of the first sentence “..., with such principal to be paid in installments on February 15 in each of the years and in the principal amounts identified in the following schedule and with such installments bearing interest at the per annum rates set forth in the following schedule:

[Information to be inserted from schedule in Section 5]

(iii) the Initial Certificate shall be numbered I-1.

**SECTION 19: CUSIP Numbers; Bond Insurance.** CUSIP Numbers may be printed on the Certificates, but errors or omissions in the printing of such numbers shall have no effect on the validity of the Certificates. If bond insurance is obtained by the Purchaser, the Certificates may bear an appropriate legend as provided by the insurer.

**SECTION 20: Interest and Sinking Fund; Tax Levy.** There is hereby established a separate fund of the City to be known as the City of Texas City Certificates of Obligation, Series 2025 Interest and Sinking Fund (the “Interest and Sinking Fund”), which shall be kept separate and apart from all other funds of the City. The proceeds from all taxes levied, assessed and collected for and on account of the Certificates authorized by this Ordinance shall be deposited, as collected, in the Interest and Sinking Fund. While the Certificates or any part of the principal thereof or interest thereon remain outstanding and unpaid, there is hereby levied and there shall be annually assessed and collected in due time, form and manner, and at the same time as other City taxes are assessed, levied and collected, in each year, an annual ad valorem tax, within the limits prescribed by law, upon all taxable property in the City, sufficient to pay the current interest on the Certificates as the same becomes due and to provide and maintain a sinking fund of not less than two percent of the principal amount of the Certificates or the amount required to pay each installment of principal of the Certificates as the same matures, whichever is greater, full allowance being made for delinquencies and costs of collection, and said taxes are hereby irrevocably pledged to the payment of the interest on and principal of the Certificates.

To pay the debt service coming due on any Bonds issued prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

**SECTION 21: Pledge of Revenues.** Pursuant to Chapter 1502, Texas Government Code, the revenues, in an amount not to exceed \$10,000, to be derived from the operation of the City’s waterworks and sanitary sewer system, collected by the City, after the payment of all operation and maintenance expenses thereof (the “Net Revenues”), are hereby pledged to the payment of the principal of and interest on the Certificates as the same come due; provided, however, that such pledge is and shall be junior and subordinate in all respects to the pledge of the Net Revenues to

the payment of all outstanding obligations of the City and any obligation of the City, whether authorized heretofore or hereafter, which the City designates as having a pledge senior to the pledge of the Net Revenues to the payment of the Certificates. The City reserves the right to issue, for any lawful purpose at any time, in one or more installments, bonds, certificates of obligation and other obligations of any kind payable in whole or in part from the Net Revenues, secured by a pledge of the Net Revenues that may be prior and superior in right to, on a parity with, or junior and subordinate to the pledge of Net Revenues securing the Certificates.

**SECTION 22: Application of Chapter 1208, Government Code.** Chapter 1208, Government Code, applies to the issuance of the Certificates and the pledge of the taxes and revenues granted by the City under Sections 20 and 21 of this Ordinance, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Certificates are outstanding an unpaid such that the pledge of the taxes and revenues granted by the City under Sections 20 and 21 of this Ordinance is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the registered owners of the Certificates the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

**SECTION 23: Further Proceedings.** After the Initial Certificate has been executed, it shall be the duty of the Mayor and other appropriate officials and agents of the City to deliver the Initial Certificate and all pertinent records and proceedings to the Attorney General of the State of Texas, for examination and approval. After the Initial Certificate has been approved by the Attorney General, it shall be delivered to the Comptroller for registration. Upon registration of the Initial Certificate, the Comptroller (or the Comptroller's bond clerk or an assistant bond clerk lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein and the seal of said Comptroller shall be impressed, or placed in facsimile, thereon.

**SECTION 24: Sale; Bid Form.** The Certificates are hereby sold and shall be delivered to the Initial Purchaser at a price of par, plus a cash premium of [ \$ \_\_\_\_\_ ], in accordance with the terms of the Official Bid Form of even date herewith, presented to and hereby approved by the City Commission. It is hereby found and determined that the bid of the Initial Purchase was the best bid as a result of an invitation for competitive bids and the price and terms thereof are the most advantageous reasonably obtainable by the City. The Mayor and other appropriate officials of the City are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out therein and to provide for the issuance and delivery of the Certificates.

**SECTION 25: Covenants to Maintain Tax Exempt Status.**

(a) **Definitions.** When used in this Section, the following terms have the following meanings:

“Code” means the Internal Revenue Code of 1986, as amended by all legislation, if any, enacted on or before the Issue Date.

“Computation Date” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Gross Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Issue Date” for each series or sub-series of the Certificates or other obligations of the City is the respective date on which such series or sub-series of the Certificates or other obligations of the City is delivered against payment therefor.

“Net Sale Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Nonpurpose Investment” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Proceeds” has the meaning stated in Section 1.148-1(b) of the Regulations.

“Rebate Amount” has the meaning stated in Section 1.148-3 of the Regulations.

“Regulations” means the temporary or final Income Tax Regulations applicable to the Certificates issued pursuant to Sections 141 through 150 of the Code. Any reference to a section of the Regulations shall also refer to any successor provision to such section hereafter promulgated by the Internal Revenue Service pursuant to Sections 141 through 150 of the Code and applicable to the Certificates.

“Yield of”

**(1)** any Investment shall be computed in accordance with Section 1.148-5 of the Regulations, and

**(2)** the Certificates shall be computed in accordance with Section 1.148-4 of the Regulations.

**(b)** Not to Cause Interest to Become Taxable. The City shall not use, permit the use of or omit to use Gross Proceeds of the Certificates or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which, if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City shall have received a written opinion of counsel nationally

recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the City shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the regulations and rulings thereunder, the City shall, at all times after the Issue Date of any Certificate and prior to the last stated maturity of the Certificates,

(i) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed directly or indirectly with Gross Proceeds of the Certificates and not use or permit the use of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity other than a state or local government, unless such use is solely as a member of the general public, or

(ii) not directly or indirectly impose or accept any charge or other payment for use of Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with such Gross Proceeds other than taxes of general application and interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by section 141 of the Code and the regulations and rulings relating to section 141 of the Code, the City shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, Gross Proceeds are considered to be “loaned” to a person or entity if (1) property acquired, constructed or improved with Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes, (2) capacity in or service from such property is committed to such person or entity under a take or pay, output, or similar contract or arrangement, or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or such property are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the final stated maturity or final payment of the Certificates, directly or indirectly invest Gross Proceeds of the Certificates in any Investment (or use such Gross Proceeds to replace money so invested), if as a result of such investment the Yield of all Investments allocated to such Gross Proceeds whether then held or previously disposed of, exceeds the Yield on the Certificates.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Certificates to be federally guaranteed within the meaning of Section 149(b) of the Code and the regulations and rulings thereunder.

**(g)** Information Report. The City shall timely file with the Secretary of the Treasury the information required by Section 149(e) of the Code with respect to the Certificates on such forms and in such place as such Secretary may prescribe.

**(h)** Payment of Rebate Amount. Except to the extent otherwise provided in Section 148(f) of the Code and the regulations and rulings thereunder, the City shall:

**(i)** account for all Gross Proceeds of the Certificates (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of such accounting for at least nine years after the final Computation Date. The City may, however, to the extent permitted by law, commingle Gross Proceeds of the Certificates with other money of the City, provided that the City separately accounts for each receipt and expenditure of such Gross Proceeds and the obligations acquired therewith,

**(ii)** calculate the Rebate Amount with respect to the Certificates not less frequently than each Computation Date, in accordance with rules set forth in Section 148(f) of the Code, Section 1.148-3 of the Regulations, and the rulings thereunder. The City shall maintain a copy of such calculations for at least three years after the final Computation Date,

**(iii)** as additional consideration for the purchase of the Certificates by the initial purchasers thereof and the loan of the money represented thereby, and in order to induce such purchase by measures designed to ensure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, pay to the United States the amount described in paragraph (2) above at the times, in the installments, to the place, in the manner and accompanied by such forms or other information as is or may be required by Section 148(f) of the Code and the regulations and rulings thereunder, and

**(iv)** exercise reasonable diligence to assure that no errors are made in the calculations required by paragraph (2) and, if such error is made, to discover and promptly to correct such error within a reasonable amount of time thereafter, including payment to the United States of any interest and any penalty required by the Regulations.

**(i)** Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the City shall not, at any time after the Issue Date of the Certificates and prior to the earlier of the final stated maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

(j) Not Hedge Bonds. The City will not invest more than 50 percent of the Proceeds of the Certificates in Nonpurpose Investments having a guaranteed yield for four years or more. On the Issue Date, the City will reasonably expect that at least 85 percent of the Net Sale Proceeds of the Certificates will be used to carry out the governmental purpose of such series within three years after the Issue Date.

**SECTION 26: Use of Proceeds.** Proceeds from the sale of the Certificates shall, promptly upon receipt by the City, be applied as follows:

(a) Proceeds in the amount of \$ \_\_\_\_\_ shall be used to pay cost of issuance.

(b) The remaining proceeds of the Certificates shall be used for the purposes described in Section 3 of this Ordinance. Any Certificate proceeds remaining after accomplishing the purposes set out in Section 3 and paying costs of issuance, plus earnings on investments of such proceeds, shall be transferred to the Interest and Sinking Fund.

**SECTION 28: Continuing Disclosure Undertaking.** As used in this Section, the following terms have the meanings ascribed to such terms below:

“MSRB” means the Municipal Securities Rulemaking Board.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

(c) The City shall provide annually to the MSRB, (1) within six months after the end of each fiscal year of the City, financial information and operating data with respect to the City of the general type included in the Tables numbered 1 through 6 and 8 through 15 in the Official Statement authorized by Section 29 of this Ordinance and (2) if not provided as part such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements to be provided shall be (i) prepared in accordance with the accounting principles described in Appendix B of the Official Statement or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and in substantially the form included in the official statement, and (ii) audited, if the City commissions an audit of such financial statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within 12 months after any fiscal year end, then the City shall file unaudited financial statements within such 12-month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available.

If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to documents (i) available to the public on the MSRB’s internet web site or (ii) filed with the SEC. All filings shall be made electronically, in the format specified by the MSRB.

**(d)** The City shall notify the MSRB in an electronic format prescribed by the MSRB, in a timely manner (not in excess of ten (10) days after the occurrence of the event), of any of the following events with respect to the Certificates:

- (i)** Principal and interest payment delinquencies;
- (ii)** Non-payment related defaults, if material;
- (iii)** Unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv)** Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v)** Substitution of credit or liquidity providers or their failure to perform;
- (vi)** Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;
- (vii)** Modifications to rights of holders of the Certificates, if material;
- (viii)** Certificate calls, if material, and tender offers;
- (ix)** Defeasances;
- (x)** Release, substitution, or sale of property securing repayment of the Certificates, if material;
- (xi)** Rating changes;
- (xii)** Bankruptcy, insolvency, receivership or similar event of the City;
- (xiii)** The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv)** Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For purposes of (xii), any event described in the preceding paragraph (xii) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding Under States Bankruptcy Code or any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of order confirming a plan of

reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

The City shall notify the MSRB in an electronic format prescribed by the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with this Section by the time required by such Section.

All documents provided to the MSRB shall be accompanied by identifying information, as prescribed by the MSRB.

**(e)** The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an “obligated person” with respect to the Certificates within the meaning of the Rule, except that the City in any event will give the notice required by this Section of any Certificate calls and defeasance that cause the City to be no longer such an “obligated person.”

The provisions of this Section are for the sole benefit of the Registered Owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall constitute a breach of or default under the Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended to or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

**(f)** The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an Initial Purchaser to purchase or sell the Certificates in the primary offering of the Certificates in compliance with the Rule,

taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the Registered Owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Registered Owners and beneficial owners of the Certificates. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with this Section an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this Section if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, and the City also may amend the provisions of this Section in its discretion in any other manner or circumstance, but in any case only if and to the extent that the provisions of this sentence would not have prevented an Initial Purchaser from lawfully purchasing or selling Certificates in the primary offering of the Certificates, giving effect to (a) such provisions as so amended and (b) any amendments or interpretations of the Rule.

**SECTION 29: Official Statement.** The City Commission hereby approves the form and content and distribution of the Notice of Sale and Preliminary Official Statement prepared in the initial offering and sale of the Certificates and hereby authorizes the preparation of a final Official Statement reflecting the terms of the sale and other relevant information. The use of such final Official Statement by the Initial Purchaser is hereby approved and authorized and the proper officials of the City are authorized to sign such Official Statement.

**SECTION 30: Power to Revise Form of Documents.** Notwithstanding any other provision of this Ordinance, the Mayor is hereby authorized to make or approve such revisions, additions, deletions, and variations to this Ordinance and in the form of the documents attached hereto as exhibits as, in the judgment of the Mayor, and in the opinion of Bond Counsel to the City, may be necessary or convenient to carry out or assist in carrying out the purposes of this Ordinance, the Preliminary Official Statement, the final Official Statement, or as may be required for approval of the Certificates by the Attorney General of Texas; provided, however, that any changes to such documents resulting in substantive amendments to the terms and conditions of the Certificates or such documents shall be subject to the prior approval of the City Commission.

**SECTION 31: Related Matters.** The Mayor, the City Manager, the City Secretary, the Finance Director, and other appropriate officials of the City are hereby authorized and directed to do any and all things necessary and/or convenient to carry out the terms of this Ordinance.

**SECTION 32: Registrar.** The form of agreement setting forth the duties of the Registrar is hereby approved, and the appropriate officials of the City are hereby authorized to execute such agreement for and on behalf of the City.

**SECTION 33: Personal Liability.** No recourse shall be had for payment of the principal of or interest on any Certificates or for any claim based thereon, or on this Ordinance, against any official or employee of the City or any person executing any Certificates.

**SECTION 34: Open Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by the Texas Open Meetings Act.

**PASSED AND ADOPTED this 21st day of May 2025.**

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Dedrick Johnson, Mayor  
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

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Rhomari Leigh  
City Secretary

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Kyle Dickson  
City Attorney