

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, FEBRUARY 19, 2025 - 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM - CITY HALL
1801 9th Ave. N.
Texas City, TX 77590

PLEASE NOTE: Public comments are limited to posted agenda items only and are generally limited to 3 minutes in length. If you would like to request to speak, please do so in advance of the meeting by filling out a Request To Address Commission form. All in attendance are required to remove hats and/or sunglasses (dark glasses) during meetings and to also silence all cell phones and electronic devices.

- (1) ROLL CALL
- (2) INVOCATION
- (3) PLEDGE OF ALLEGIANCE
- (4) PROCLAMATIONS AND PRESENTATIONS
 - (a) Service Awards
George Slaughter Waste Water Treatment Plant 02/21/2005 20 years
 - (b) Proclaiming February as Black History Month.
- (5) REPORTS
 - (a) Racial Profiling Report (Marshal's Office)
 - (b) Quarterly Investment Report (Finance)
- (6) PUBLIC COMMENTS
- (7) CONSENT AGENDA
 - (a) Approve City Commission Minutes for the February 5, 2025 meeting. (City Secretary)

- (b) Consider and take action on Resolution No. 2025-017, appointing various applicants to boards, commissions, and committees to fill vacancies. (City Secretary)
- (c) Consider and take action on Resolution No. 2025-018, authorizing a purchase to Accurate Meter & Supply for the purchase of water meters.
- (d) Consider and take action on Resolution No. 2025-019, authorizing the purchase of Standby WILLO Pumps for Lift Stations 10 and 30. (Public Works)
- (e) Consider and take action on Resolution No. 2025-020, approving an agreement between The Department of the Army, the Port of Texas City and the City of Texas City for the purpose of constructing and maintaining additional capacity in placement areas five/six (PA-5 and PA-6). (Economic Development)
- (f) Consider and take action on Resolution No. 2025-021, authorizing the Mayor to enter into an agreement with Metropolitan Life Insurance Company to replace the current vendor for the Retired Lives Reserve Plan. (Human Resources)
- (g) Consider and take action on Resolution No. 2025-022, approving the Consolidated Annual Performance Evaluation Report (CAPER) for the City's CDBG activities for FY 2023 and authorizing submission to the U.S. Department of Housing and Urban Development. (Community Development)

(8) REGULAR ITEMS

- (a) Consider and take action on the second reading of Ordinance No. 2025-04, amending Texas City Code of Ordinances Section 155 to add Kiosk Signs as an Allowable Sign. (City Engineer)
- (b) Consider and take action on the first reading of Ordinance 2025-06, amending the Texas City Code of Ordinances by creating Chapter 165 entitled "Battery Energy Storage Systems" and amending the Code of Ordinances Title XV entitled "Land Usage", Chapter 160 entitled "Zoning" to designate Section 160.051 District S-P (Site Plan) as the zoning designation for Battery Energy Storage Systems and similar projects. (City Engineer)
- (c) Consider and take action on the first reading of Ordinance 2025-07, amending the Texas City Code of Ordinances Title XV "Land Usage," Chapter 150 "Building Regulations"; "Construction"; Chapter 153 "Mechanical Regulations"; and Chapter 151 "Electricity" and Chapter 154 "Plumbing".(City Engineer)

(9) COMMISSIONERS' COMMENTS

(10) MAYOR'S COMMENTS

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 FEBRUARY 14, 2025, PRIOR TO 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.

RHOMARI LEIGH
CITY SECRETARY

CITY COMMISSION REGULAR MTG

(4) (a)

Meeting Date: 02/19/2025

February 2025 Service Awards

Submitted For: Jennifer Price, Human Resources

Submitted By: Susan Sensat, Human Resources

Department: Human Resources

Information

ACTION REQUEST

Service Awards

George	Waste Water Treatment	02/21/2005	20
Slaughter	Plant		years

BACKGROUND (Brief Summary)

Service Awards(s) for the following individual(s) for the month of February are based on their years of service with the City.

RECOMMENDATION

Human Resources recommend approval of the February service award(s).

Fiscal Impact

CITY COMMISSION REGULAR MTG

(5) (a)

Meeting Date: 02/19/2025

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Racial Profiling Report (Marshal's Office)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

2024 Racial Profile Report

2024 Marshals Office



Texas City Marshals Office

2024 Racial Profiling Report



US Census Population Estimates

July 1, 2021

54,247

Asian/Pacific Islander 1%

1%

Hispanic 29%

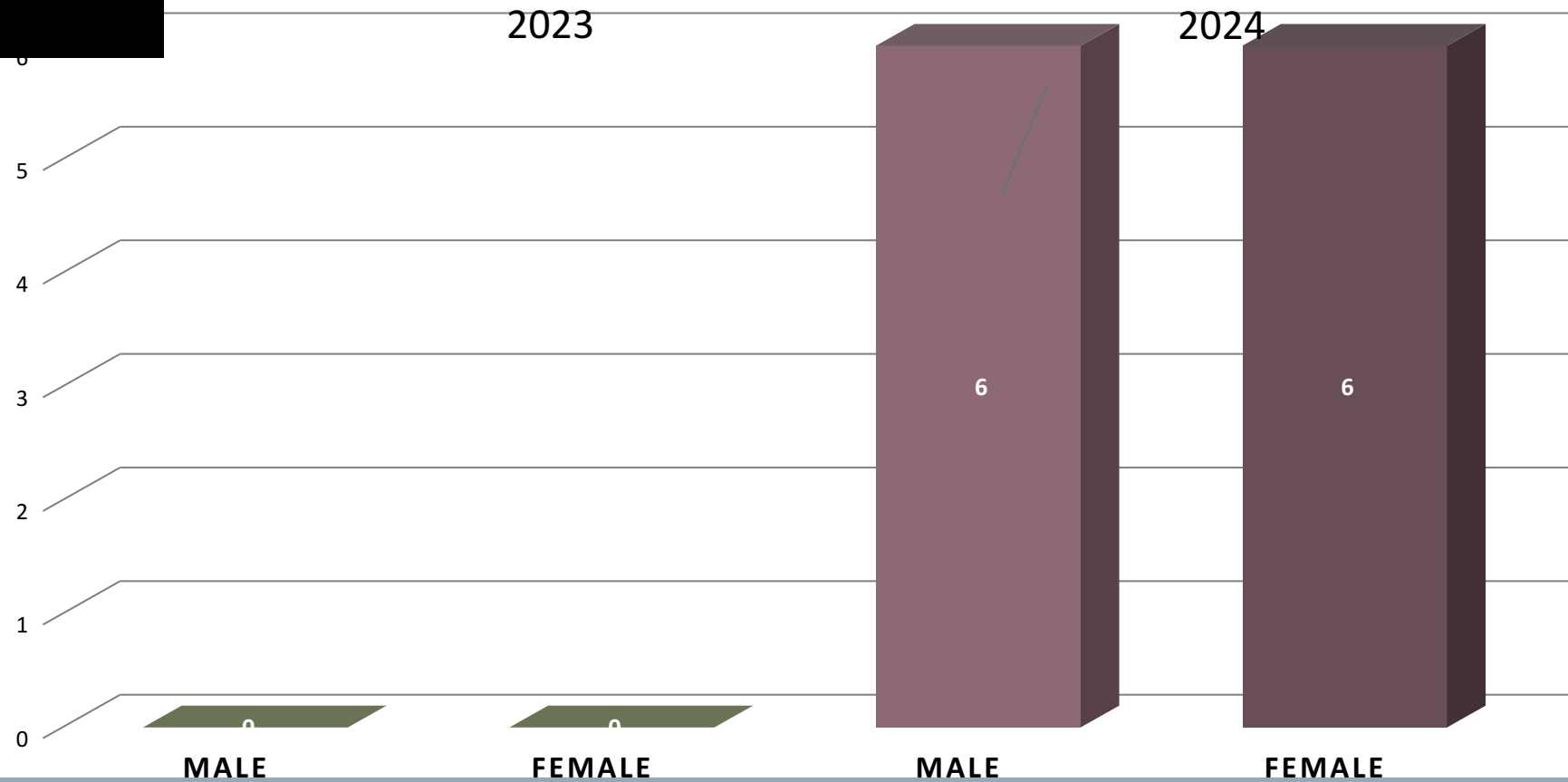
White 38.0%

Black 28.5%



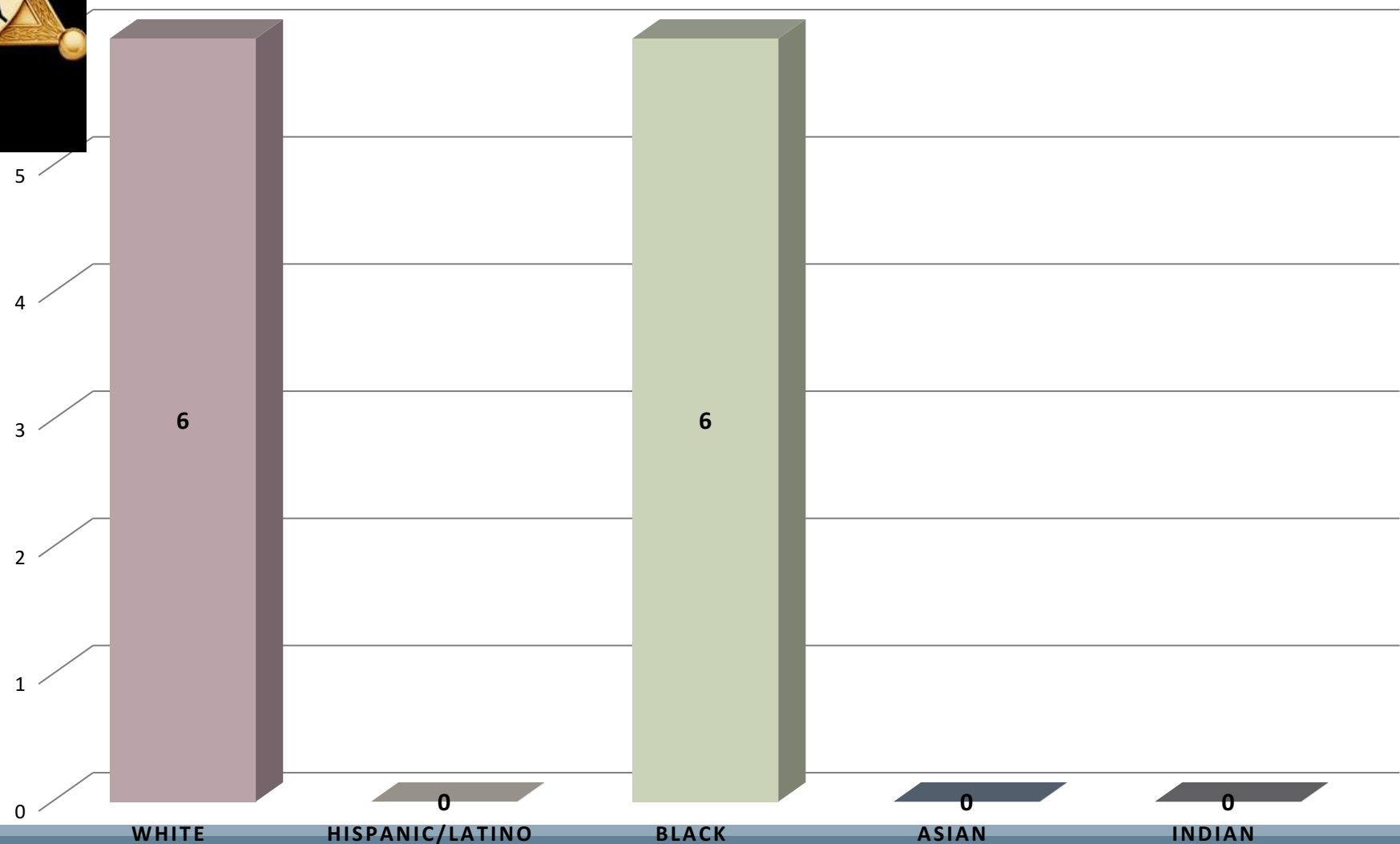
2023 Total stops: 0

2024 Total stops: 12



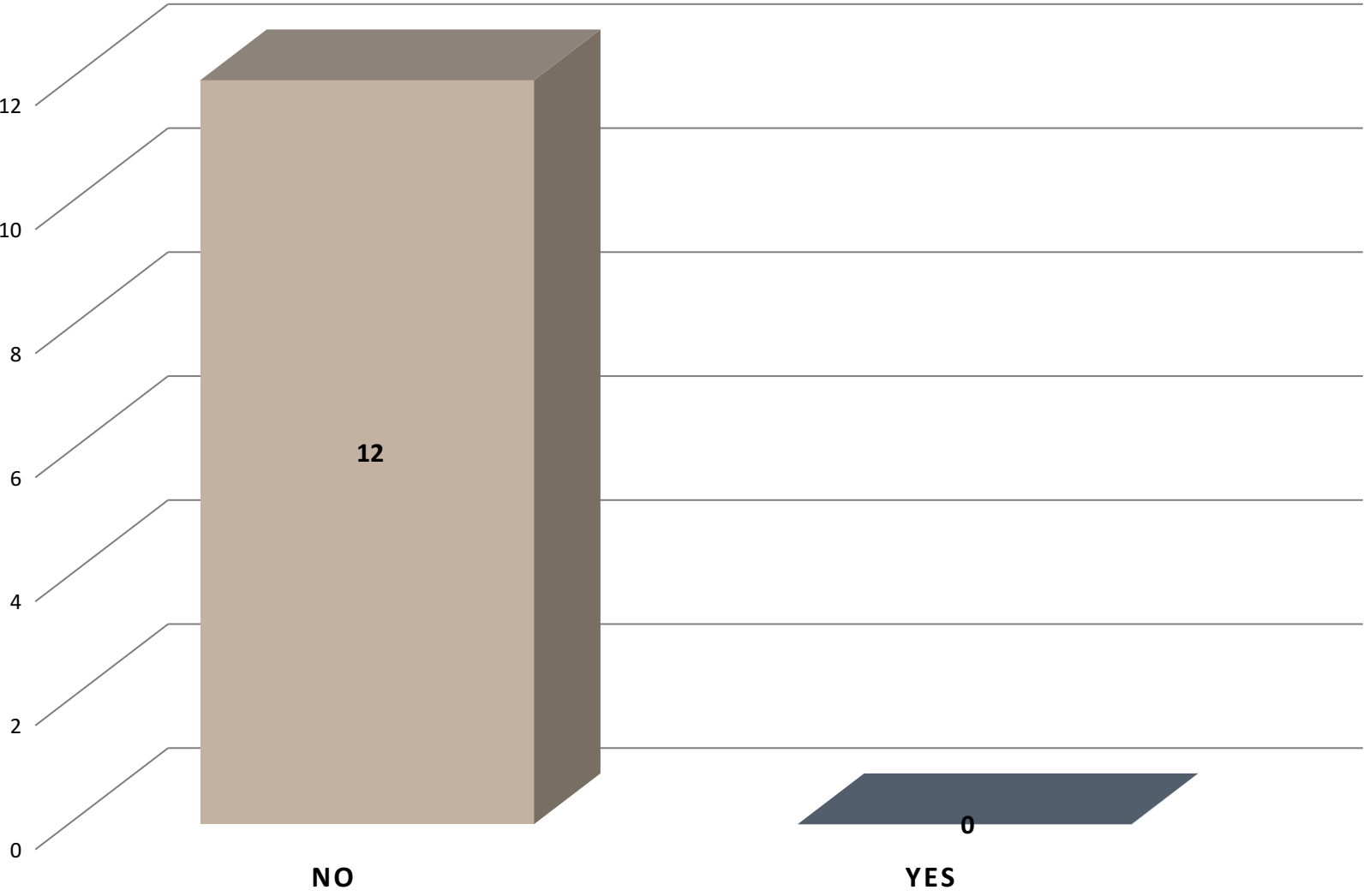


Race or Ethnicity of People Stopped



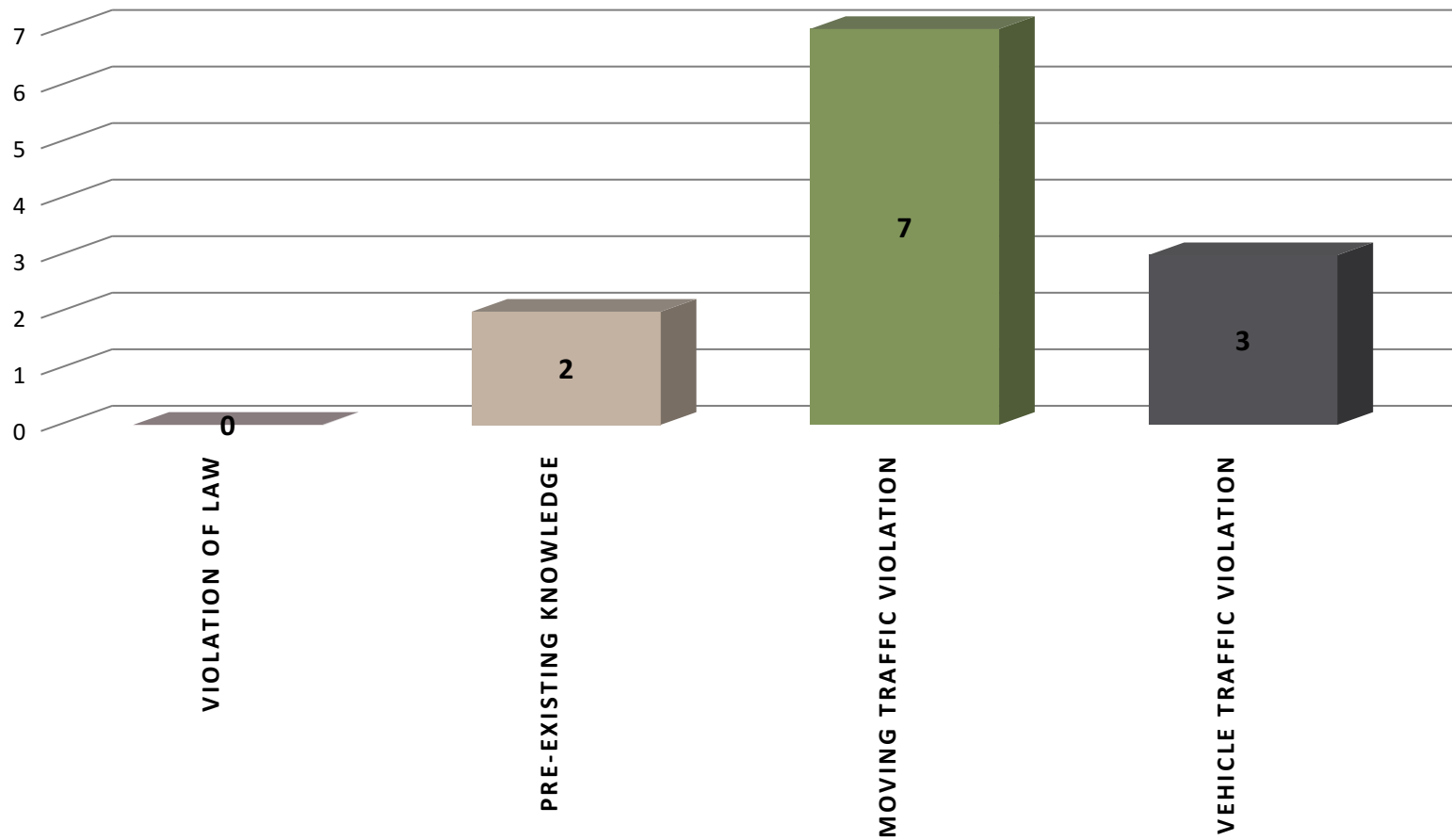


Was race or ethnicity known prior to stop?



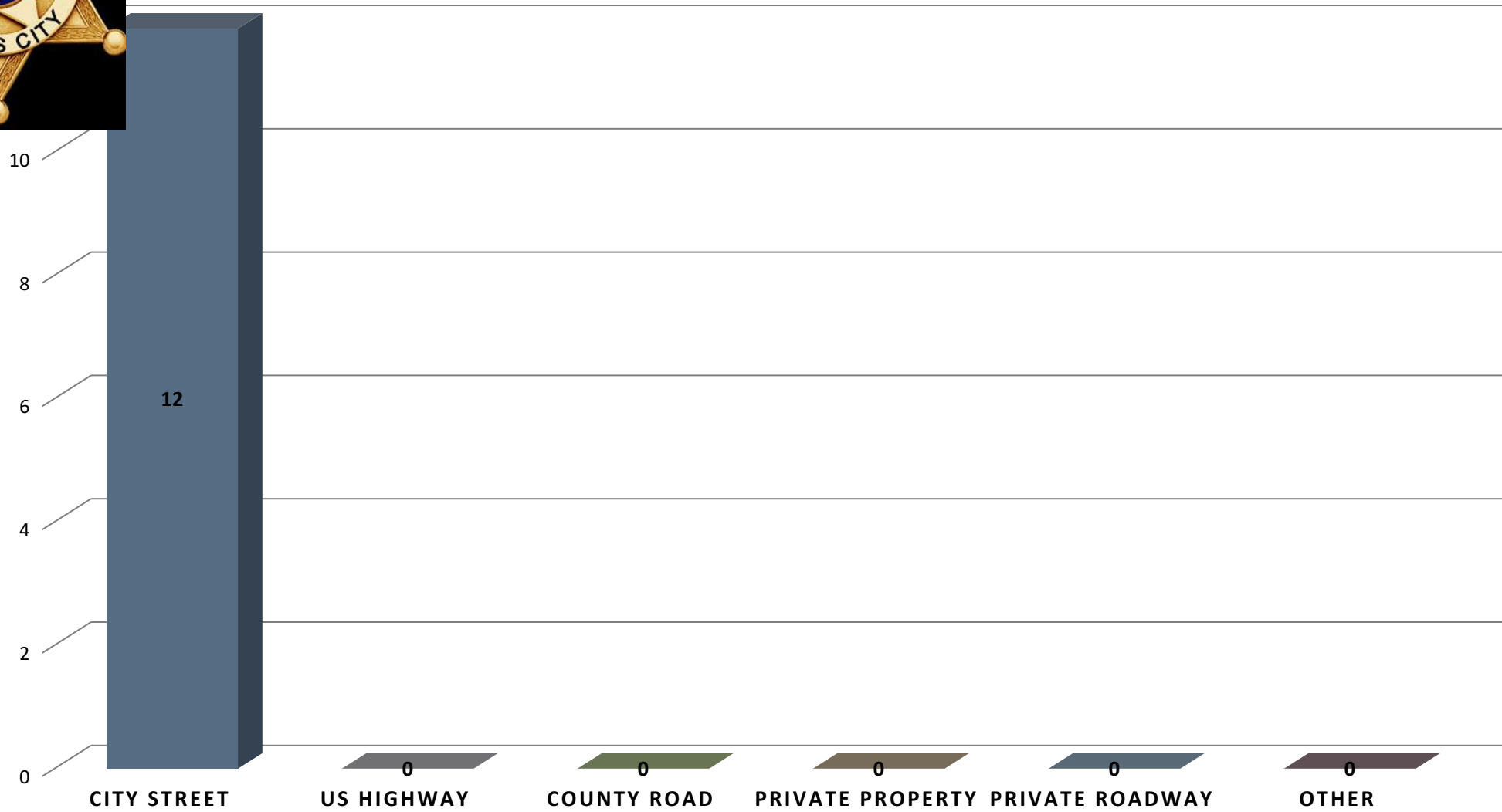


Reason for Stop



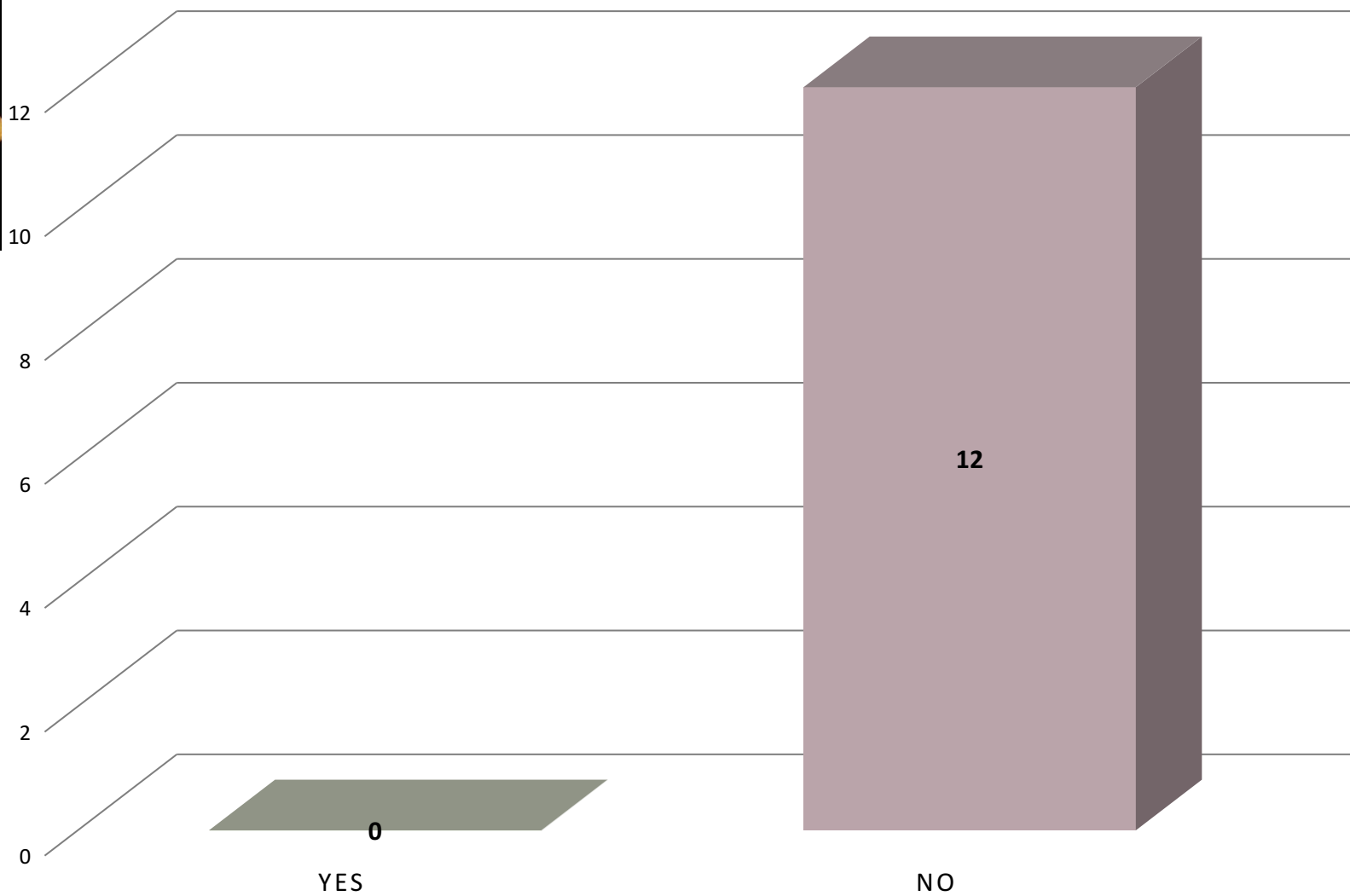


Location of the Stops





Was a Search Conducted?



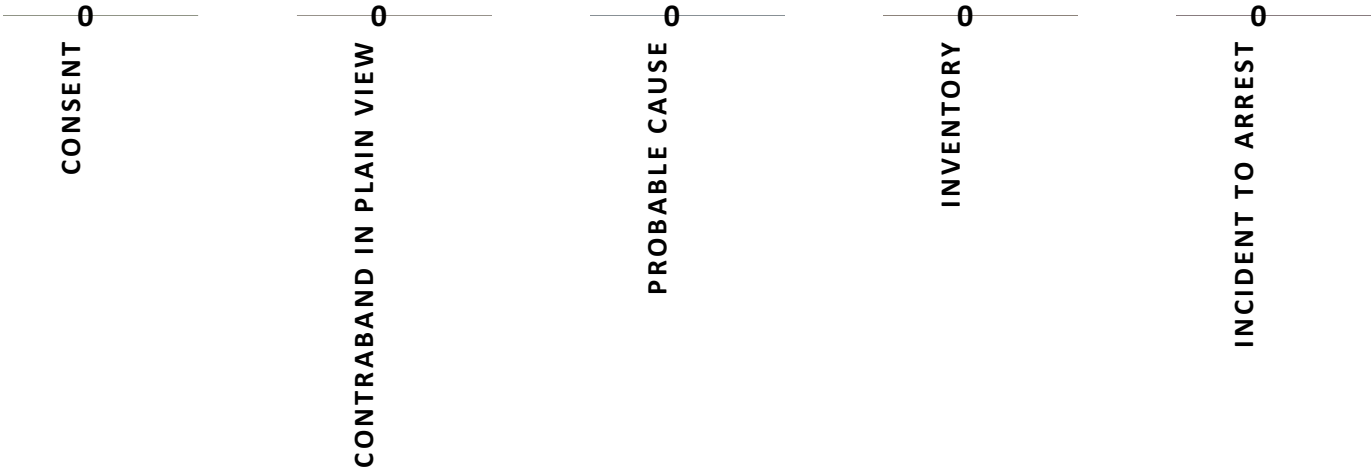


Searches Conducted by Race





Reason for Search





Contraband Discovered

0
YES

0
NO



Description of Contraband

<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
DRUGS	CURRENCY	WEAPONS	ALCOHOL	STOLEN PROPERTY	OTHER



Contraband Hits by Race

0
BLACK

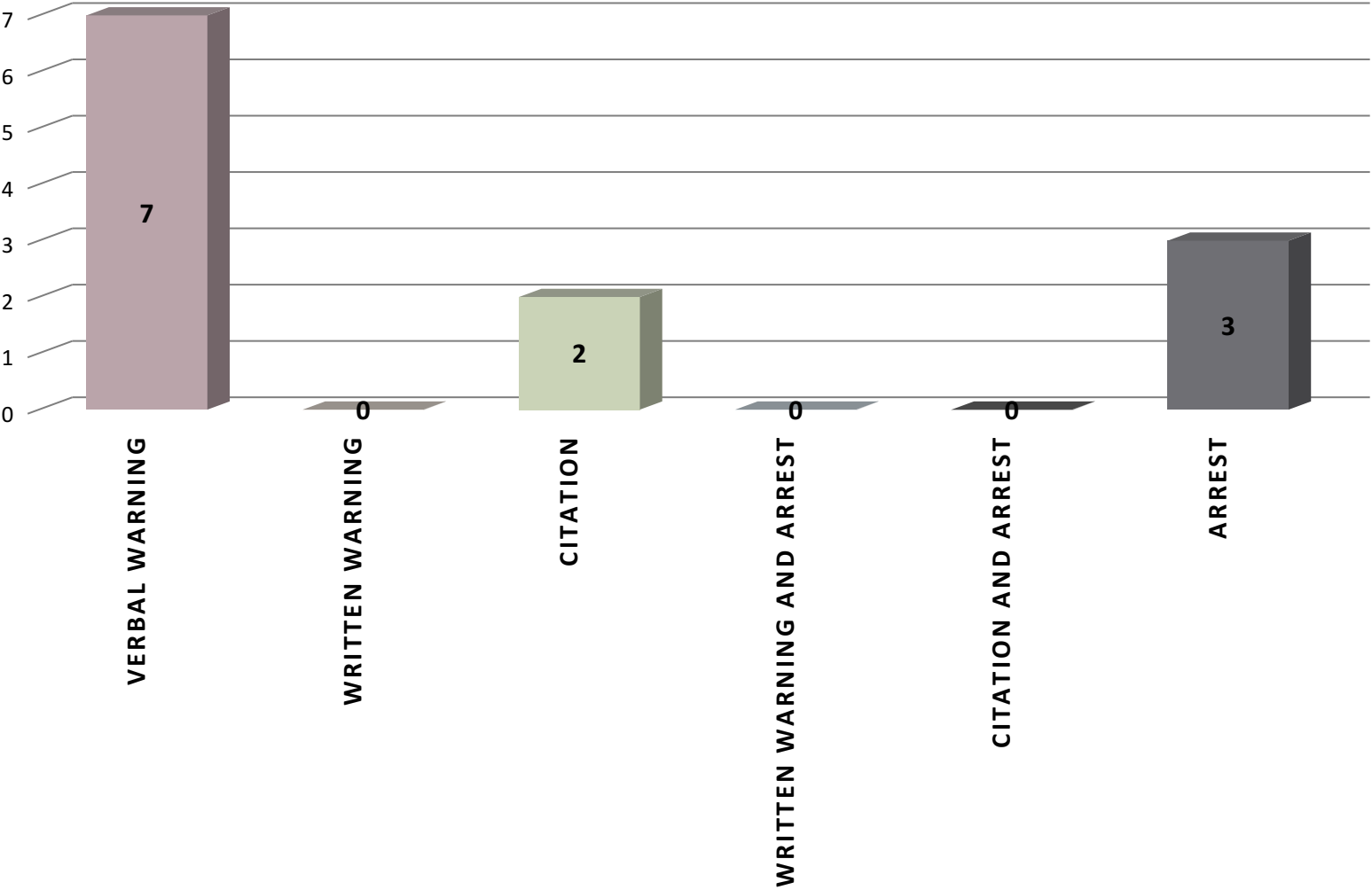
0
WHITE

0
HISPANIC

0
ASIAN

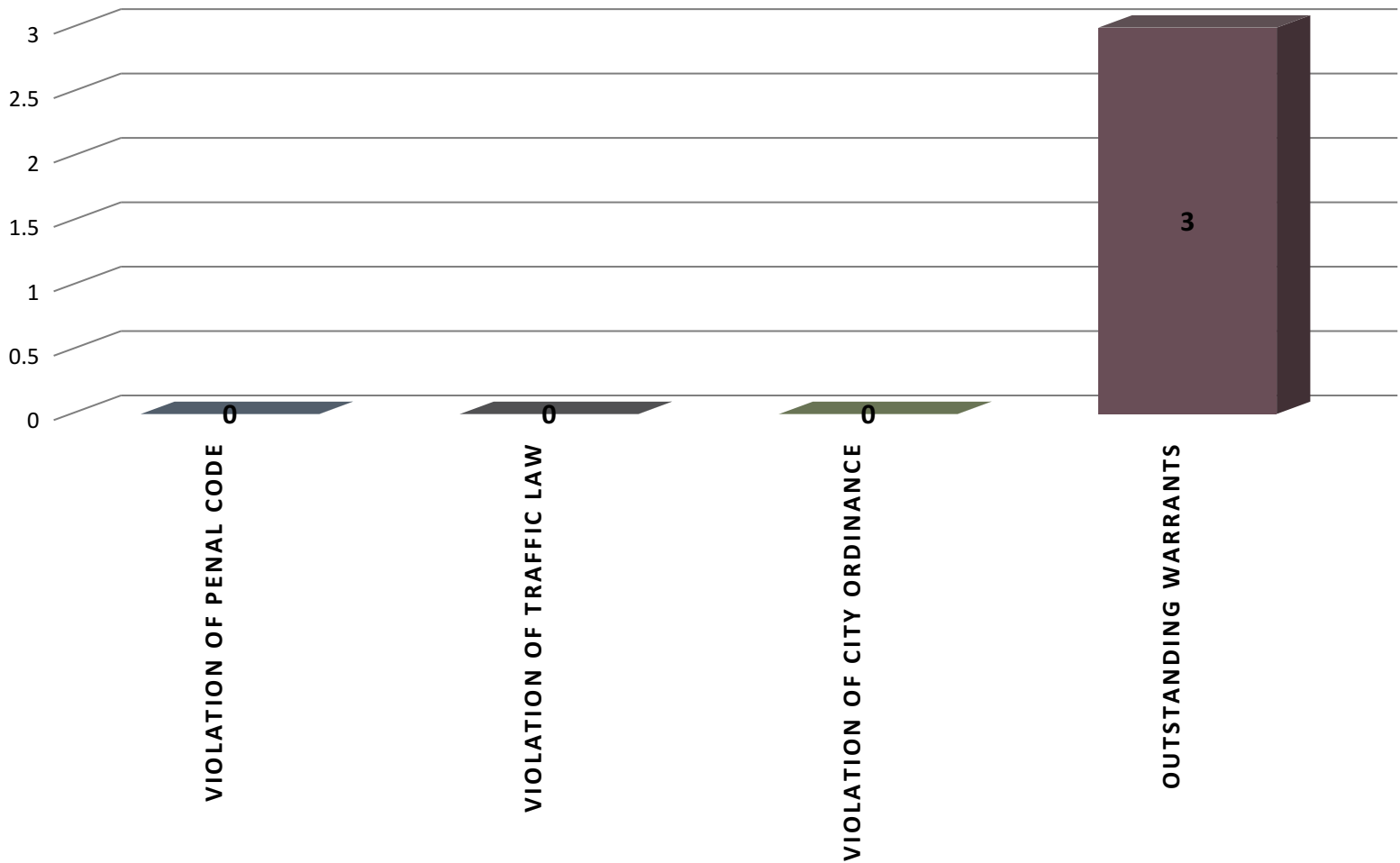


Result of Stop



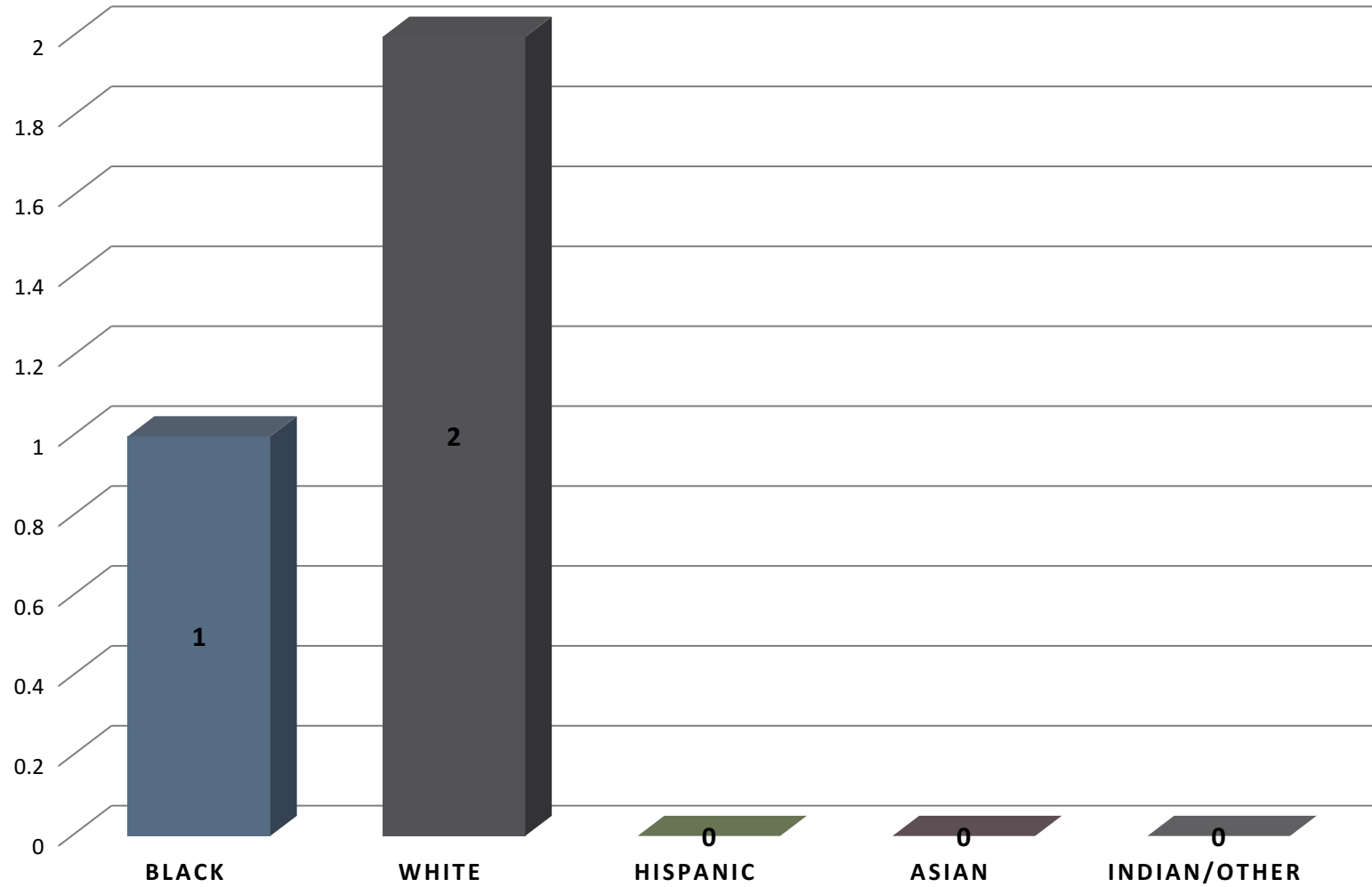


3 Total Arrests



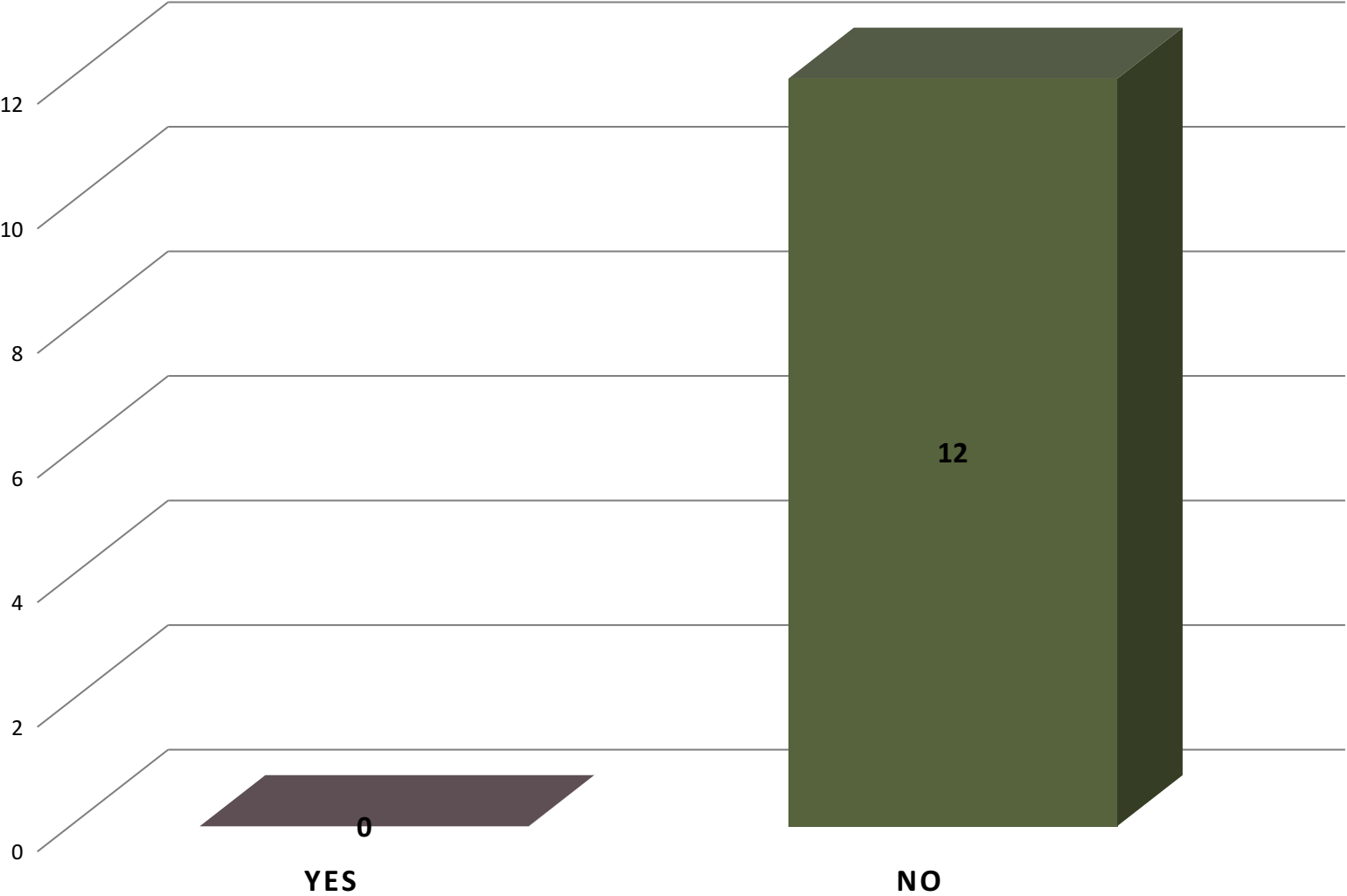


Arrests by Race





Physical Force Used During Stop





Racial Profiling Complaints Received

TCMO received no complaints alleging racial or bias based profiling during this reporting period.

Questions

todom@texascitytx.gov

409-643-5801



Texas City Marshal's Office

- 2024 Annual Report
- February 19, 2025



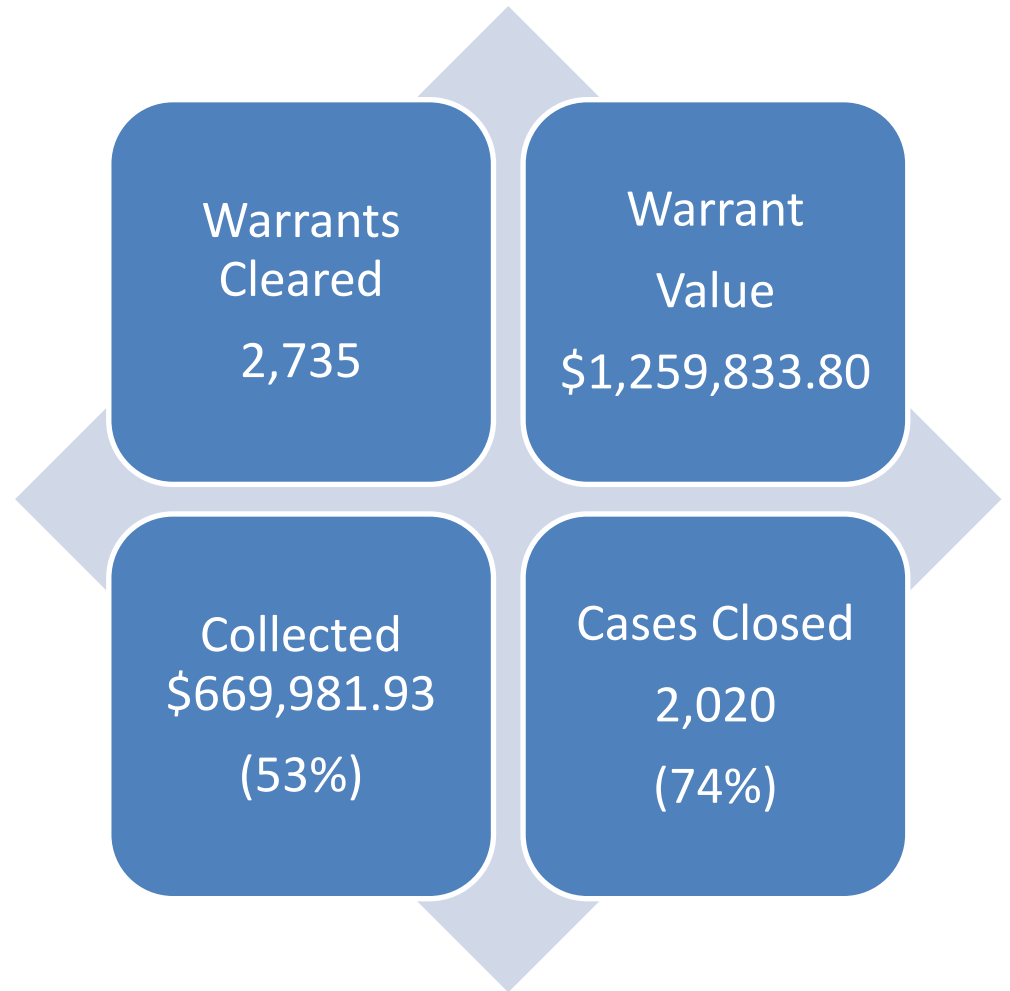
Duties of TCMO

- **Locate Wanted Individuals**
- **Assist the Texas City Municipal Court in:**
 - **Gaining Compliance to Judge's Orders**
 - **Reducing the Number of Outstanding Warrants**
 - **Increase the Number of Closed Cases**
- **Provide Security for Municipal Court and City Hall**





2024 TCMO Warrant Stats





Questions?

CITY COMMISSION REGULAR MTG

(7) (a)

Meeting Date: 02/19/2025

Approve City Commission Minutes for the February 5, 2025 meeting. (City Secretary)

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Approve City Commission Minutes for the February 5, 2025 meeting. (City Secretary)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

2/5/2025 Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

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

A Regular Called Meeting of the City Commission was held on Wednesday, FEBRUARY 5, 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
Jami Clark, Commissioner District 4

2. INVOCATION

Led by Father Clint Ressler, Pastor of St. Mary of the Miraculous Medal Catholic Church.

3. PLEDGE OF ALLEGIANCE

Led by Abel Garza, Jr., Commissioner At-Large.

4. PROCLAMATIONS AND PRESENTATIONS

a. EMS Excellence Award for Outstanding Service 2024

Dennis Harris, Fire Chief, and Mathew Wyatt, Assistant Fire Chief, presented Shawn Harper with the EMS Excellence Award for his outstanding service on 611 EMS calls and 400 transports.

5. REPORTS

a. Racial Profiling Report for Calendar year 2024 (Police)

Manual Johnson, Assistant Police Chief, gave a PowerPoint presentation.

b. Crime Statistics for Calendar year 2024 (Police)

Manual Johnson, Assistant Police Chief, gave a PowerPoint presentation.

6. PUBLIC COMMENTS

The following members of the public requested to address the City Commission: Matthew Daniels, Brian Goetschius, and Monica Grover. Monica Grover was denied access to address the City Commission because they did not follow the rules to address the City Commission.

7. CONSENT AGENDA

Commissioner 4, Jami Clark, made a motion to approve Consent Agenda items 7a, b, c, and d. The motion was seconded by Commission At-Large Pro Tem, Thelma Bowie.

a.

Approve City Commission Minutes for the January 22, 2025 meeting. (City Secretary)

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie

Vote: 7 - 0 CARRIED

b.

Consider and take action on Resolution No. 2025-012, authorizing a contract with ARKK Engineers for design services for improvements at Sanitary Lift Station(s) 10 and 30. (Public Works)

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie

Vote: 7 - 0 CARRIED

c.

Consider and take action on Resolution No. 2025-013, authorizing to procure renovation and repair services for three (3) splash pads from BJ's Park & Recreation Products. (Rec & Tour)

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie

Vote: 7 - 0 CARRIED

d.

Consider and take action on Resolution No. 2025-014, authorizing the City of Texas City to pursue a multi-year agreement with the Texas Department of Transportation "TxDOT" for temporary closures of state right-of-way roads for our annual parades. (Rec & Tour)

Motion by Commissioner District 4 Jami Clark, Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie

Vote: 7 - 0 CARRIED

8. REGULAR ITEMS

- a. Consider and take action on Resolution No. 2025-015, authorizing a contract with Brazos Urethane for the Showboat Pavilion roof replacement and exterior repairs. (Public Works)

Jack Haralson, Public Works Director, recommends that the Commission award the contract to Brazos Urethane.

Motion by Commissioner At-Large, Mayor Pro Tem Thelma Bowie, Seconded by Commissioner District 4 Jami Clark

Vote: 7 - 0 CARRIED

- b. Consider and take action on Ordinance No. 2025-03, permanently rezone 0.5691 acres located at the property at 2107 24th Street North from District "A" (Single Family Residential) to District "B" (Single Family Attached, Duplex Residential). (City Engineer)

Kim Golden, City Engineer, recommended approval of the ordinance for 2107 24th Street N to be changed from District "A" (Single Family Residential) to District "B" (Single Family Attached, Duplex Residential).

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

Vote: 7 - 0 CARRIED

- c. Consider and take action on the first reading of Ordinance No. 2025-04, amending Texas City Code of Ordinances Section 155 to add Kiosk Signs as an Allowable Sign. (City Engineer)

Kim Golden, City Engineer, recommended approval of the amendment to add kiosk signs as an Allowable Sign under the Texas City Off Premises Sign Ordinance, Section 155.

Motion by Commissioner At-Large Abel Garza, Jr., Seconded by Commissioner District 2 Keith Love

Vote: 7 - 0 CARRIED

- d. Consider and take action on Ordinance No. 2025-05, approving a budget amendment and authorizing the payment to Galveston County Appraisal District (GCAD) for the annual property appraisal for the City of Texas City. (Finance)

Cynthia Rushing, Chief Financial Officer, requested the approval to pay GCAD for the annual appraisal service.

Chris Sharp, Commissioner District 3 ask why there was just an increase?

Cynthia Rushing, answered the appraised value must have gone up. Cynthia also stated she requested he formula the GCAD uses so the department can better budget for future years. She has not received the requested information from GCAD as of the meeting date.

Motion by Commissioner District 3 Chris Sharp, Seconded by Commissioner District 1 DeAndre' Knoxson

Vote: 7 - 0 CARRIED

- e. Consider and take action on Resolution No. 2025-016, review and approval of the submission of the grant application for the FY 2025 State Homeland Security Program. (Community Development- Grants Administration)

Patricia Mata, Community Development & Grants Administration Program Coordinator, recommended to approve the submission of the grant applications to the Houston-Galveston Area Council.

Shives and Martinez of the TCPD SWAT, passed out a hand out to the Mayor and City Commission with information of the Lenco Bearcat G3. If the grant is awarded the City would purchase the vehicle and the grant would reimburse the City.

Chris Sharp, Commissioner District 3, asked how many members are in SWAT? Shives answered, fully staffed is no more than 18 members.

Chris Sharp, asked what is the maintenance difference between the SWAT vehicle and a regular cop car? Shives answered, no difference other than it is a diesel vehicle.

Chris Sharp, asked how old is the our current SWAT vehicle and how often are they normally replaced? Shives answered, our current SWAT vehicle was purchased 2008 (17 years old) and on average they are replaced by 10 - 15 years.

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

Vote: 7 - 0 CARRIED

9. COMMISSIONERS' COMMENTS

10. 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 adaption of the minutes to which the meeting corresponds.

11. ADJOURNMENT

Having no further business, Abel Garza, Jr., Commissioner At-Large, made a MOTION to ADJOURN at 5:51 p.m.; the motion was SECONDED by DeAndre' Knoxson, Commissioner District 1. All present voted AYE. MOTION CARRIED.

DEDRICK D. JOHNSON, MAYOR

ATTEST:

Rhomari Leigh, City Secretary
Date Approved:

CITY COMMISSION REGULAR MTG

(7) (b)

Meeting Date: 02/19/2025

Appointments to various boards & commissions to fill vacancies

Submitted For: Rhomari Leigh, City Secretary

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

To appoint various applicants to boards, commissions, and committees as recommended to fill vacancies.

BACKGROUND (Brief Summary)

There have been a few vacancies on various boards, commissions, and committees due to personal schedules, health reasons, etc. Appointments for these vacancies need to be made so that the City can continue business uninterrupted.

There is no fiscal impact to this agenda item.

Redacted applications are attached for review.

RECOMMENDATION

It is the recommendation of the City Secretary and the Mayor that the following appointments be made:

Christopher Wilcox to the CDBG Citizens Advisory Committee and Keep Texas City Beautiful.

Amanda Barker to the Texas City Recreation and Tourism Board.

Fatima Naeem to the Texas City Recreation and Tourism Board.

Nathan Exom to the Texas City Historical Preservation Corp.

Fiscal Impact

Attachments

attachment

attachment

attachment

attachment



CITY OF TEXAS CITY

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

Thank you for your interest in volunteering your time and talents to the City of Texas City. Please fill out the below application (required) and attach an updated resume' (optional). As an Applicant for a City Board, Commission, or Committee, your application will be available to the public. You will be contacted before any action is taken on your appointment to confirm your continued interest in serving. All appointments are made by the Texas City Commission. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or have been appointed to two (2) consecutive terms. A member who is absent for more than 40% of called meetings in any twelve consecutive months, for other than medical reasons, may be removed from service. Applicant must be a citizen of the United States and must reside within the city limits of Texas City unless otherwise stated in the position announcement. Applications will be kept on file for two years and will expire at the end of two years; for instance, an application dated in 2022 will expire in 2024.

Please Type of Print Clearly:

Date: 1/9/2025

Name: Amanda Barker

Phone:

(Home)

Address:

Phone:

City/State/Zip Texas City, TX. 77590

(Work)

Email preferred method of communication

I have lived in Texas City 10 years.

I am x am not ___ a U.S. Citizen

Occupation: Administrative Manager

Professional and/or Community Activities relative to your desired Board appointment:

I am presently on the Parent Advisory board for TC School district. Active member of Administrative Professionals Association and Women Resource Group Assoc. Sponsor for TC Junior Cotillion. UTMB participation in the 25-26 Leadership Galveston Program w/Galveston Chamber of Commerce. Chair of the Employee Engagement Committee w/MD Anderson 2021-2024

Additional Pertinent Information/References: Active voluteer in Touch a truck, Duck Derby,

UTMB Galveston Police Night Out among other events. Active member of Project Grad 2021, 2025, & 2029.

Long standing member and participant Stingarette Booster club, 2023-2024 Blocker PTA. Active Chaperon with BMS- Show Choir, Cheer, volleyball, and track. Two of my daughters are teen volunteers with the TC Moore Memorial Library.

References: Board member Aric Owens

Applications for the following Commission-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (409-643-5916) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions

- (2) Planning & Zoning Commission
- (3) Library Board
- () TC Economic Development Board
- (4) TC Cultural Arts Foundation
- (5) TC Public Facilities Development
- () TC Harbour Foreign Trade Zone
- () TC Historical Preservation Corporation
- () TC Industrial Development
- () TC Housing Finance Corporation
- () Civil Service
- (1) Recreation and Tourism Board
- () Board of Adjustments- Building & Structure

Meeting Information

As called in accordance with the Board, Commission, or Advisory Committee's By-laws.

Advisory Committees

- () Bayou Golf Course Advisory Board
- () Housing Authority
- (2) CDBG Citizen's Advisory Committee
- (1) Keep Texas City Beautiful

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.

Amanda Barker

Signature of Applicant

Please return this application to:

City Secretary
City of Texas City
1801 9th Ave. N.
Texas City, TX 77590

or

rleigh@texascitytx.gov



Board Member Election on Disclosure

An appointed Board Member may choose whether or not to allow public access to the information in the custody of the City relating to the Board Member's home address, home telephone number, cellular and pager numbers (if not paid for by City), emergency contact information, personal email address, and information that reveals whether the person has family members.

Each Board Member shall state his/her choice in writing to the City Secretary's Office. If a Board Member elects not to allow public access to this information, the information is protected by Sections 552.024 and 552.117 of the Public Information Act and rulings of the Texas Attorney General. If a Board Member fails to report his/her choice, the information may be subject to public access.

If during the course of their term a Board Member wishes to close or open public access to the information, the individual may request in writing to the City Secretary's Office to close or open access as the case may be. A Board Member may request to close or open public access to the information by submitting a written request to the City Secretary's Office. Only the City Secretary's Office is allowed to disclose the information listed above.

(Please strike through any information that you do not wish to be made accessible to the public)

Please complete the information below and return
to the City Secretary's Office within fourteen days of receipt.

☐ I **DO** elect public access to my: (please indicate items you would like available, if any)

___ home address

___ home telephone number

___ personal email address

___ cell or pager numbers not paid for by the City

___ emergency contact information

___ information that reveals whether I have family members.

☐ I **DO NOT** elect public access to my home address, home telephone number, cell or pager numbers, emergency contact information, or any information that reveals whether I have family members.

Board Member's Signature

Date

Board Member's Printed Name



Texas City

EST. 1911

CITY OF TEXAS CITY

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

Thank you for your interest in volunteering your time and talents to the City of Texas City. Please fill out the below application (required) and attach an updated resume' (optional). As an Applicant for a City Board, Commission, or Committee, your application will be available to the public. You will be contacted before any action is taken on your appointment to confirm your continued interest in serving. All appointments are made by the Texas City Commission. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or have been appointed to two (2) consecutive terms. A member who is absent for more than 40% of called meetings in any twelve consecutive months, for other than medical reasons, may be removed from service. Applicant must be a citizen of the United States and must reside within the city limits of Texas City unless otherwise stated in the position announcement. Applications will be kept on file for two years and will expire at the end of two years; for instance, an application dated in 2022 will expire in 2024.

Please Type of Print Clearly:

Date: 12/30/2024

Name: Christopher D Wilcox

Phone:

Address:

Phone:

(Home)

City/State/Zip Texas City, TX, 77590

Cell:

(Work)

Email:

I have lived in Texas City 2 years.

I am x am not a U.S. Citizen

Occupation: Manager of Client Support Services for a Technology Company

Professional and/or Community Activities relative to your desired Board appointment:

I have served on various technology committees, including community-driven initiatives, church-based committees, and customer advisory boards for organizations such as Blockbuster and CDW. My experience encompasses project-based service opportunities, as well as volunteer work focused on prison and domestic violence reform in Romania

Additional Pertinent Information/References:

I am a bass player for our church and an avid fisherman. I am passionate about contributing to the growth of Texas City and aspire to see it become a city of dreams for everyone. Recently, my family and I purchased our first home here. We have six children, three of whom are already grown and have moved out. I look forward to meeting and speaking with you.

Applications for the following Commission-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (409-643-5916) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions

- (3) Planning & Zoning Commission
- () Library Board
- (1) TC Economic Development Board
- () TC Cultural Arts Foundation
- () TC Public Facilities Development
- () TC Harbour Foreign Trade Zone
- () TC Historical Preservation Corporation
- (5) TC Industrial Development
- () TC Housing Finance Corporation
- (4) Civil Service
- (2) Recreation and Tourism Board
- () Board of Adjustments- Building & Structure

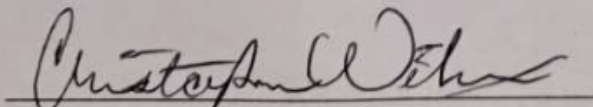
Meeting Information

As called in accordance with the Board, Commission, or Advisory Committee's By-laws.

Advisory Committees

- () Bayou Golf Course Advisory Board
- () Housing Authority

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.



Signature of Applicant

Please return this application to:

City Secretary
City of Texas City
1801 9th Ave. N.
Texas City, TX 77590

or

rleigh@texascitytx.gov



CITY OF TEXAS CITY

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

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Please Type of Print Clearly:

Date: 23 January 2025

Name: Fatima Naeem

Phone:

Address: [REDACTED]

(Home)

Phone: [REDACTED]

(Work)

City/State/Zip Texas City, Texas 77591

Cell: [REDACTED]

Email: [REDACTED]

I have lived in Texas City 1 years.

I am X am not a U.S. Citizen

Occupation: Attorney

Professional and/or Community Activities relative to your desired Board appointment:

I've previously served on the board of the Friends of the Bryan/College Station Library. I've moved my law practice to Texas City from Bryan/College Station.

Additional Pertinent Information/References:

Applications for the following Commission-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (409-643-5916) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions

- ☐ Planning & Zoning Commission
- ☒ Library Board
- ☐ TC Economic Development Board
- ☒ TC Cultural Arts Foundation
- ☐ TC Public Facilities Development
- ☐ TC Harbour Foreign Trade Zone
- ☐ TC Historical Preservation Corporation
- ☐ TC Industrial Development
- ☐ TC Housing Finance Corporation
- ☐ Civil Service
- ☒ Recreation and Tourism Board
- ☐ Board of Adjustments- Building & Structure

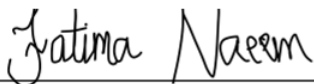
Meeting Information

As called in accordance with the Board, Commission, or Advisory Committee's By-laws.

Advisory Committees

- ☐ Bayou Golf Course Advisory Board
- ☐ Housing Authority
- ☐ CDBG Citizen's Advisory Committee
- ☐ Keep Texas City Beautiful

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.



Signature of Applicant

RECEIVED

By R. Leigh at 10:16 am, Feb 04, 2025

Please return this application to:

City Secretary
City of Texas City
1801 9th Ave. N.
Texas City, TX 77590

or

rleigh@texascitytx.gov



Board Member Election on Disclosure

An appointed Board Member may choose whether or not to allow public access to the information in the custody of the City relating to the Board Member's home address, home telephone number, cellular and pager numbers (if not paid for by City), emergency contact information, personal email address, and information that reveals whether the person has family members.

Each Board Member shall state his/her choice in writing to the City Secretary's Office. If a Board Member elects not to allow public access to this information, the information is protected by Sections 552.024 and 552.117 of the Public Information Act and rulings of the Texas Attorney General. If a Board Member fails to report his/her choice, the information may be subject to public access.

If during the course of their term a Board Member wishes to close or open public access to the information, the individual may request in writing to the City Secretary's Office to close or open access as the case may be. A Board Member may request to close or open public access to the information by submitting a written request to the City Secretary's Office. Only the City Secretary's Office is allowed to disclose the information listed above.

(Please strike through any information that you do not wish to be made accessible to the public)

Please complete the information below and return
to the City Secretary's Office within fourteen days of receipt.

☐ I **DO** elect public access to my: (please indicate items you would like available, if any)

___ home address

___ home telephone number

___ personal email address

___ cell or pager numbers not paid for by the City

___ emergency contact information

___ information that reveals whether I have family members.

☐ I **DO NOT** elect public access to my home address, home telephone number, cell or pager numbers, emergency contact information, or any information that reveals whether I have family members.

Board Member's Signature

Date

Board Member's Printed Name



CITY OF TEXAS CITY

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

Thank you for your interest in volunteering your time and talents to the City of Texas City. Please fill out the below application (required) and attach an updated resume' (optional). As an Applicant for a City Board, Commission, or Committee, your application will be available to the public. You will be contacted before any action is taken on your appointment to confirm your continued interest in serving. All appointments are made by the Texas City Commission. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or have been appointed to two (2) consecutive terms. A member who is absent for more than 40% of called meetings in any twelve consecutive months, for other than medical reasons, may be removed from service. Applicant must be a citizen of the United States and must reside within the city limits of Texas City unless otherwise stated in the position announcement. Applications will be kept on file for two years and will expire at the end of two years; for instance, an application dated in 2022 will expire in 2024.

Please Type of Print Clearly:

Date: 7/18/24

Name: Nathan D. Exom

Phone: [REDACTED]

Address: [REDACTED]

(Home)

Phone: [REDACTED]

City/State/Zip: Texas City, TX, 77591

(Work)

Cell: [REDACTED]

Email: [REDACTED]

I have lived in Texas City 2 years.

I am x am not a U.S. Citizen

Occupation: I am a Program Manager with Health and Human Services within the Geri Regulatory division. We protect those vulnerable adults who are in a long term care facility. I am also an Associate Minister at the New Hope Missionary Baptist Church in Houston, TX.

Professional and/or Community Activities relative to your desired Board appointment:

I am a member of the National Association of Leadership and Success and National Association of Social Workers. I am a Doctoral Student at Capella University in the Doctor of Health Services Administration program.

Additional Pertinent Information/References:

Pastor Alonzo Tinker [REDACTED]

Rev. Warren Moore [REDACTED]

Sara England [REDACTED]

Applications for the following Commission-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (409-643-5916) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions

- () Planning & Zoning Commission
- () Library Board
- () TC Economic Development Board
- (3) TC Cultural Arts Foundation
- () TC Public Facilities Development
- () TC Harbour Foreign Trade Zone
- (2) TC Historical Preservation Corporation
- () TC Industrial Development
- () TC Housing Finance Corporation
- () Civil Service
- (1) Recreation and Tourism Board
- () Board of Adjustments- Building & Structure


Meeting Information

As called in accordance with the Board, Commission, or Advisory Committee's By-laws.

Advisory Committees

- () Bayou Golf Course Advisory Board
- () Housing Authority

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.



Signature of Applicant

RECEIVED

By R. Leigh at 4:31 pm, Jul 26, 2024

Please return this application to:

City Secretary
City of Texas City
1801 9th Ave. N.
Texas City, TX 77590

or

rleigh@texascitytx.gov

CITY COMMISSION REGULAR MTG

(7) (c)

Meeting Date: 02/19/2025

Purchase of Water Meters

Submitted For: Dj Hutchinson, Public Works

Submitted By: Dj Hutchinson, Public
Works

Department: Public Works

Information

ACTION REQUEST

Authorize purchase order for \$90,000 to Accurate Meter & Supply for the purchase of water meters. Account 501705-53410

BACKGROUND (Brief Summary)

Purchase new water meters (3/4" - 8") from Accurate Meter & Supply plus Beacon endpoints and components compatible with the City's remote reading system. Accurate Meter & Supply is the sole source provider of the City's water meters and associated meter supplies. Meters and endpoints are in constant need of repair. Please see Exhibit A.

RECOMMENDATION

The Utilities Department recommends that the City Commission approves these purchases.

Fiscal Impact

Attachments

Exhibit A
Resolution



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

July 31, 2024

Ms. Irene Fattig
City of Texas City
1801 9th Avenue North
Texas City, TX 77590

RE: Sole Source Letter

Dear Ms. Fattig:

This correspondence confirms that Accurate Meter & Supply is the sole authorized distributor of E-Series® Ultrasonic Meters, Recordall® Disc Meters, Recordall Compound Series/Combo Meters, Recordall Turbo Series Meters, BEACON® SaaS, ORION® Endpoints and Badger Meter Analytical Product Lines for City of Texas City.

In the event you have any questions regarding this correspondence, we can be reached by telephone at 800-876-3837 or by email at proposals@badgermeter.com.

Sincerely,

BADGER METER, INC.

A blue ink signature of Matthew B. Gieseke, written in a cursive style.

Matthew B. Gieseke
Assistant Secretary and Proposal Lead

RESOLUTION NO. 2025-018

A RESOLUTION AUTHORIZING ACCURATE METER & SUPPLY FOR THE PURCHASE OF WATER METERS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City has seen an increase in housing development; and

WHEREAS, there is always a demand for meters because contractors purchase their own meters for new construction homes and existing meters fail and need to be replaced; and

WHEREAS, periodically the endpoints and meters do fail for various reasons. This allows the City to stock items for repair. Being the meters are our “cash registers” it is imperative that we keep the system running as efficiently as possible.

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

SECTION 1: That the City Commission authorizes a payment for \$90,000.00 to Accurate Meter & Supply for the purchase of water meters from account 501705-53410.

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

PASSED AND ADOPTED this 19th day of February 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

(7) (d)

Meeting Date: 02/19/2025

Purchase of Standby WILO Pumps for Lift Station 10 and 30

Submitted For: Dj Hutchinson, Public Works

Submitted By: Dj Hutchinson, Public Works

Department: Public Works

Information

ACTION REQUEST

The Utilities Department is seeking approval for new Stand-By Pumps at Lift Stations 10 and 30.

LS 10 134 HP \$75,700.00

LS 30 80 HP \$65,700.00

Total Amount:\$141,400.00

BACKGROUND (Brief Summary)

The main pumps at both stations were rebuilt 10 years ago. Pump repairs are becoming more frequent as the existing pumps age. The recommended purchase of the stand-by pumps is needed to make sure we are able to operate continuously from these high-volume critical stations.

RECOMMENDATION

It is recommended by the Utilities Department that the City Commission approve the purchase of the two new pumps.

Fiscal Impact

Attachments

Exhibit A

Estimate

ADDRESS	SHIP TO	ESTIMATE	1249
Calvin Bremer	Calvin Bremer	DATE	01/28/2025
Texas City, City of - Wastewater	Texas City, City of - Wastewater		
1801 9th Avenue North	3901 Bay Street Extension		
Texas City, Texas 77590	Texas City, Texas 77590		
United States	United States		

SO NUMBER
10443

DESCRIPTION	QTY	RATE	AMOUNT
LS 10 Spare Pump Wilo FA30.93T+FK34.1-6/60 460V, 3PH, 1140 RPM, 134HP, 422mm Impeller	1	62,000.00	62,000.00
Lead Time: 34-36 weeks			
Cable adder	1	5,000.00	5,000.00
Guide Claw and Profile Seal	1	5,700.00	5,700.00
Estimated Freight	1	3,000.00	3,000.00
SUBTOTAL			75,700.00
TAX			0.00
TOTAL			\$75,700.00

Accepted By

Accepted Date

Estimate

ADDRESS	SHIP TO	SHIP VIA	Best Way, PP&A	ESTIMATE	1251
Calvin Bremer	Calvin Bremer			DATE	02/03/2025
Texas City, City of - Wastewater	Texas City, City of - Wastewater			EXPIRATION	03/02/2025
1801 9th Avenue North	3901 Bay Street Extension			DATE	
Texas City, Texas 77590	Texas City, Texas 77590				
United States	United States				

SO NUMBER
11027

DESCRIPTION	QTY	RATE	AMOUNT
LS 30 Spare Pump Wilo FA25.93T+FK34.1-6/33 460V, 3PH, 1150 RPM, 80HP, 386mm Impeller	1	52,000.00	52,000.00
Lead Time: 28-32 weeks			
Cable adder	1	5,000.00	5,000.00
Guide Claw and Profile Seal	1	5,700.00	5,700.00
Estimated Freight	1	3,000.00	3,000.00
SUBTOTAL			65,700.00
TAX			0.00
TOTAL			\$65,700.00

Accepted By

Accepted Date

WILO USA LLC, 19333 US Highway 19 North, Thomasville, GA 31792

02.01.2025

Dear Valued Customer,

This letter confirms that Municipal Technologies Inc is a distribution representative for Wilo USA, LLC [previously known as EMU until purchased by Wilo AG in 2003] water & wastewater pump and pump parts sales for South East Texas.

Wilo USA, LLC, a subsidiary of Wilo SE, is the sole provider of pumps Wilo brand in the United States. Please note that all Wilo Warranties and Operations and Maintenance Manuals require genuine Wilo components for the warranties to be valid and ensure proper operation.

Should you have any questions, please get in touch with me via email at Nick.Panyard@wilo.com or 713-585-5007

Regards,

Nick Panyard
Water Management
Regional Sales Manager
Wilo USA, LLC.

CITY COMMISSION REGULAR MTG

(7) (e)

Meeting Date: 02/19/2025

Approve non-federal sponsorship agreement with Port of Texas City and US Department of the Army.

Submitted For: Kristin Edwards, Economic Development

Submitted By: Kristin Edwards, Economic Development

Department: Economic Development

Information

ACTION REQUEST

Approve an agreement between The Department of the Army, the Port of Texas City and the City of Texas City for the purpose of constructing and maintaining additional capacity in placement areas five/six (PA-5 and PA-6).

BACKGROUND (Brief Summary)

The City of Texas City has been approached by the Port of Texas City (POTC) to serve as a non-federal sponsor for a Section 217 (A) agreement with The Department of the Army for the purpose of constructing and maintaining additional capacity in placement areas five/six (PA-5 and PA-6) on Shoal Point. The project will carry a cost of \$6,000,000, of which POTC will cover utilizing Port Infrastructure Development Program grant funds.

The City would function purely as a pass-through entity should the grant funds be awarded to POTC. Further, POTC has committed to completing all application materials and forms, and to facilitating the submission of the City's application through Grants.gov. The POTC has also committed to absorb all costs, risks, and liabilities involved in the development and delivery of the grant-funded project, to include the provision of local cost-sharing requirements and any costs in excess of a federal award.

There are both short-term and long-term benefits to supporting this effort by the Port of Texas City. As the Port conducts dredging for each industrial partner as well as future projects in the area. This represents a long-term solution to the placement of spoils.

RECOMMENDATION

Approve an agreement between The Department of the Army, the Port of Texas City and the City of Texas City for the purpose of constructing and maintaining additional capacity in placement areas five/six (PA-5 and PA-6).

Fiscal Impact

Funds Available Y/N: Y

Amount Requested: \$0

Source of Funds: Port of Texas City

Account #: 801-050-53060

Fiscal Impact:

Attachments

Letter to USACE from City
Agreement - Section 217 (A)
NEPA compliance
Operations plan - Draft form
Agreement
Resolution



Sara Knoll

Operations Manager

U.S. Army Corps of Engineers, Galveston District

2000 Fort Point Road

Galveston, TX 77550

Subject: Texas City Ship Channel – Placement Area Five/Six Improvements

Dear Mrs. Sara Knoll,

The City of Texas City, on behalf of the Port of Texas City, hereby requests that work/improvements be executed for Placement Area Five/Six. Our intent is to create additional capacity in this placement area for the Port's future endeavors. Work to achieve this includes but is not limited to, levee raise, placement area structures work, and all other associated work required on the placement area in order to gain additional capacity.

The City of Texas City has the ability and intent to contribute \$6,000,000 for the construction of additional capacity in accordance with the executed 217(a) MOA which requires development of an operations plan that governs the use of additional capacity.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Dedrick D. Johnson

Mayor of Texas City

"the place where COMMUNITY MATTERS"

1801 9th Avenue North * P.O. Drawer 2608 * Texas City, TX 77592-2608

(409) 948-3111 * www.texascitytx.gov

SECTION 217(A)
MEMORANDUM OF AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE CITY OF TEXAS CITY
FOR CONSTRUCTION, OPERATION, AND MAINTENANCE
OF ADDITIONAL CAPACITY AT
PLACEMENT AREA FIVE/SIX, TEXAS CITY, TX
TEXAS CITY SHIP CHANNEL

This MEMORANDUM OF AGREEMENT (hereinafter the “MOA”) is entered into this _____ day of _____, 2025, by and between the Department of the Army (hereinafter the “Government”), represented by the U.S. Army Engineer, Galveston District (hereinafter the “District Engineer”), and the City of Texas City (hereinafter the “Non-Federal Sponsor”), represented by Mayor Dedrick D. Johnson.

WITNESSETH, THAT:

WHEREAS, the Government and the Non-Federal Sponsor executed a PPA on 28 July 2007 for construction, operation, and maintenance of the Texas City Ship Channel (hereinafter the “Project”) pursuant to H.Doc. 92-199, 92nd Congress, 2nd Session; Section 201 of the River and Harbor Act of 1965, Public Law 89-298;

WHEREAS, Government constructed Placement Area 5/6, Texas City, Galveston County, Texas (hereinafter the “Dredged Material Placement Facility”) in connection with construction, operation, or maintenance of the Project;

WHEREAS, Section 217(a) of the Water Resources Development Act of 1996, as amended (33 U.S.C. 2326a(a)), authorizes the Government to provide additional capacity at a dredged material placement facility constructed by the Government beyond the capacity that is required for project purposes if the Non-Federal Sponsor agrees to pay all costs associated with the additional capacity;

WHEREAS, the Non-Federal Sponsor has requested that the Government make placement area improvements to include current dike raise, training dike raise, and all other associated work in order to create non-Federal Section 217(a) capacity for the use of the Non-Federal sponsor at the Dredged Material Placement Facility (hereinafter the “Additional Capacity”); and

WHEREAS, the Government and the Non-Federal Sponsor have the full authority and capability to perform in accordance with the terms of this Agreement.

NOW, THEREFORE, the Government and Non-Federal Sponsor agree as follows:

1. The Non-Federal Sponsor shall pay all costs associated with design and construction of the non-Federal Additional Capacity, including the costs of environmental compliance and supervision and administration. The total cost of design and construction for the non-Federal additional capacity is estimated to be \$6,000,000. While the Government will endeavor to limit costs associated with the Additional Capacity to these estimates, the Non-Federal Sponsor acknowledges that the actual costs may exceed these estimated amounts due to claims or other unforeseen circumstances, and that the Non-Federal Sponsor is responsible for all costs, including any claims, related to the Additional Capacity. Additionally, since the Non-Federal Sponsor's financial obligations are limited to the Sponsor's Contribution, the amount of Additional Capacity will be determined based on the overall cost of the improvements to the Dredged Material Placement Facility as provided in the operations plan.

a. Within thirty (30) calendar days of execution of this MOA, the Non-Federal Sponsor shall provide to the Government \$6,000,000, which is the current estimated cost of design and construction of the Additional Capacity.

b. If at any time the Government determines that additional funds are needed, the Government shall meet with the Non-Federal Sponsor to discuss and agree on the additional amount needed, and no later than thirty (30) calendar days after agreement, the Non-Federal Sponsor shall provide to the Government the full amount of the additional funds agreed upon.

c. The Non-Federal Sponsor shall provide required funds to the Government by delivering a check payable to "FAO, USAED GALVESTON DISTRICT M3" to the District Engineer or providing an Electronic Funds Transfer of such funds in accordance with procedures established by the Government.

2. The Non-Federal Sponsor shall provide, at no cost to the Federal Government, all lands, easements, and rights-of-way required for construction, operation, and maintenance of the Additional Capacity, if any.

3. The Government shall not commence construction of the Additional Capacity until all applicable environmental laws and regulations have been complied with, including, but not limited to, the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) and Section 401 of the Clean Water Act (33 U.S.C. 1341).

4. The Government and the Non-Federal Sponsor shall develop an operations plan that governs use of the Additional Capacity, including requirements for before and after surveys, sediment testing, and other information needed for utilization of the Additional Capacity.

5. The Government shall provide the Non-Federal Sponsor with quarterly reports of obligations for the Additional Capacity. The first such report shall be provided within thirty (30) calendar days after the final day of the first full quarter of the Government fiscal year

following receipt of funds pursuant to this MOA. Subsequent reports shall be provided within thirty (30) calendar days after the final day of each succeeding quarter.

6. Upon conclusion of design and construction and resolution of all relevant claims and appeals, the Government shall conduct a final accounting of design and construction costs for the Additional Capacity and furnish the Non-Federal Sponsor with the written results of such final accounting. Should the final accounting determine that additional funds are required from the Non-Federal Sponsor, after meeting and agreeing with the Government the Non-Federal Sponsor, within sixty (60) calendar days of receipt of written notice from the Government, shall provide the Government with the full amount of such additional required funds. If the costs of design and construction of the Additional Capacity are less than the amount of funds provided by the Non-Federal Sponsor, the Government, subject to the availability of funds, shall refund the excess to the Non-Federal Sponsor within sixty (60) calendar days of such written notice. Such final accounting does not limit the Non-Federal Sponsor's responsibility to pay all costs of design and construction costs for the Additional Capacity, including contract claims or any other liability that may become known after the final accounting.

7. The Non-Federal Sponsor shall hold and save the Government free from all damages arising from the Additional Capacity, except for damages due to the fault or negligence of the Government or its contractors.

8. In the exercise of their respective rights and obligations under this MOA, the Government and the Non-Federal Sponsor each act in an independent capacity, and neither is to be considered the officer, agent, or employee of the other.

9. Notices.

a. Any notice, request, demand, or other communication required or permitted to be given under this MOA shall be deemed to have been duly given if in writing and either delivered personally or mailed, with return receipt, by registered or certified mail, as follows:

If to the Non-Federal Sponsor:

Dedrick D. Johnson
Mayor of Texas City
1801 9th Avenue N
Texas City, TX 77590

If to the Government:

District Engineer
USACE-Galveston
2000 Fort Point Road
Galveston, TX 77550

b. A party may change the recipient or address to which such communications are to be directed by giving written notice to the other party in the manner provided in this paragraph.

13. This MOA may be modified or amended only by written, mutual agreement of the parties.

IN WITNESS WHEREOF, the parties have executed this MOA as of the day, month, and year first above written.

THE DEPARTMENT OF THE ARMY

THE CITY OF TEXAS CITY

BY: _____

Rhett A. Blackmon

City

BY: _____

Dedrick D. Johnson
Colonel, U.S. Army

Mayor, Texas

DATE: _____

DATE: _____

**Documentation of Compliance with NEPA and Other Appropriate Laws
Proposed Placement Area Improvements
Texas City Ship Channel
2025**

1.00 Incorporation by Reference

Proposed work will be conducted by construction methods previously used for O&M placement area improvements within the Texas City Ship Channel, near Texas City, in Galveston County, Texas. The environmental acceptability of these methods was addressed in previous National Environmental Policy Act (NEPA) documents circulated for public and environmental agency review. Incorporated by reference, these documents are available for review at US Army Corps of Engineers, Galveston District, 2000 Fort Point Road, Galveston, TX 77550. They include:

- A. Receipt of Consistency Determination – Coastal Coordination Council, dated December 1999.
- B. U.S. Army Corps of Engineers, Galveston District. Final Environmental Statement, Maintenance Dredging, Texas City Channel, Texas, dated September 1994.
- C. U.S. State Water Quality Certification, dated October 1978.
- D. U.S. Army Corps of Engineers, Galveston District. Final Environmental Statement, Texas City Channel, Texas, dated August 1978.

2.00 Proposed Action

2.01 Texas City Ship Channel Placement Area 5/6 Improvements.

Proposed dike improvements at existing Texas City Ship Channel O&M Placement Area 5/6 (PA 5/6) will be for the purpose of creating additional capacity, which will be used for both maintenance material originating from the Federal channel and for non-Federal maintenance and/or new work material.

2.02 Construction Methods.

The proposed work will consist of raising existing containment levees using side-ditch borrow excavation and repairs to the drop-outlet structures, methods previously reviewed and judged acceptable by state and federal resource agencies and the public.

3.00 Schedule and Order of Work.

The proposed levee raising work will be conducted as soon as all logistical requirements, including site visits, financial arrangements, and contract award are resolved and/or in place.

4.00 Existing Conditions of Placement Area 5/6.

Placement Area 5/6 is a system of containment and training dikes designed to hold material dredged from the authorized federal channel, with two outlet structures designed to decant water, originally constructed circa 1967.

5.00 Updated Authorizations.

- A. General Conformity Concurrence (air) TCEQ May 2007.
- B. State Water Quality Certification, TCEQ February 2007.
- C. Consistency Determination Received. Coastal Coordination Council – Texas General Land Office, February 2007

6.00 Authorizations Needed.

No additional authorizations are required.

LISA FINN
Environmental Project Manager
Navigation Section

DRAFT

PLACEMENT AREA FIVE/SIX OPERATIONS AND MAINTENANCE AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE CITY OF TEXAS CITY TEXAS CITY SHIP CHANNEL, TX

I. PURPOSE

The purpose of this Operations Plan is to outline the responsibilities of the U.S. Army Corps of Engineers Galveston District (“*District*”) and the City of Texas City (“*Non-Federal Sponsor*”) related to the construction, use, and operation and maintenance of Dredged Material Placement Area (DMPA) capacity at Placement Area (PA) 5/6, constructed by the District beyond the capacity that is required for Texas City Ship Channel (“*Project*”) purposes, under the authority of Section 217(a) of the Water Resources Development Act of 1996, as amended (33 U.S.C. 2326a(a)) (“*Section 217(a)*”).

II. PROJECT

The Texas City Ship Channel (TCSC) deep draft navigation project consists of a 46-foot deep by 400-foot wide by approximately 9.4-mile-long channel; extending from the intersection of Galveston Harbor and the Houston Ship Channel to a turning basin and Industrial Canal to the facilities at the Port of Texas City.

The table below provides the channel reaches and associated dimensions.

Table 1: Channel Dimensions			
Reach or Segment	Station to Station (sta)	Depth (ft)	Width (ft)
Texas City Main Channel	0+000 to 36+200.7	46	400
Texas City Turning Basin	0+00 to 42+86	46	1,000-1,200
Industrial Canal	0+00 to 88+13.76	41	300-400
Industrial Canal Turning Basin	88+13.76 to 99+63.76	41	1,000



Figure 1: TCSC Placement Areas

III. COORDINATION BETWEEN NON-FEDERAL SPONSOR AND PORT OF TEXAS CITY

The Non-Federal Sponsor agrees to secure funding from the [Texas City Terminal Railway Company d/b/a the "Port of Texas City"](#) for the purposes of executing this agreement.

The Port of Texas City, on behalf of the Non-Federal Sponsor, will maintain responsibility for all construction and Operations requirements per this agreement. The Non-Federal Capacity constructed via this agreement will be provided exclusively to the Port of Texas City [and its designees and its stakeholders](#).

IV. CONSTRUCTION OF ADDITIONAL 217(a) CAPACITY

In accordance with the Water Resources Development Act of 1996, Section 217(a), the government may provide additional capacity at a dredged material disposal facility constructed by the government beyond the capacity that would be required for project purposes if the non-Federal interest agrees to pay, during the period of construction, all costs associated with the construction of the additional capacity.

a. Construction of Additional Capacity.

The District and the Non-Federal Sponsor anticipate issuing a contract for improvements to PA 5/6 to create additional capacity for maintenance material originating from the Federal channel and for non-Federal maintenance and new work material. Pursuant to Section 217(a), the Non-Federal Sponsor will contribute funding for the costs associated with constructing additional non-Federal capacity at the PA 5/6.

b. Initial Allocation of Additional Capacity between the United States and the Non-Federal Sponsor.

A contract has been designed for containment dike improvements at PA 5/6 to create a total of 1,699,000 CY of capacity. The work includes construction of an approximate 3-foot containment dike raise. Federal and non-Federal capacity will be allocated as follows:

DMPA	Percent of Additional (217a) Capacity Created	Additional (217a) Capacity Created (In Cubic Yards)	Percent of Federal Capacity Created	Federal Capacity Created (In Cubic Yards)	Total Capacity Created (In Cubic Yards)
PA 5/6	66.7%	1,133,000	33.3%	566,000	1,699,000

V. NON-FEDERAL OPERATIONS & MAINTENANCE

a. Coordination of Non-Federal Use and Accountability for Capacity Used

- i. Following the creation of non-Federal capacity under Section 217(a) of WRDA 1996, non-Federal disposal quantities shall be tracked in order to ensure the available non-Federal capacity, constructed under 217(a), is not exceeded nor taken.
- ii. Any Corps of Engineers construction or maintenance work will take precedence over non-Federal activities.

- iii. Prior to each non-federal dredging event, the [Port of Texas City](#) ~~City of Texas City~~ or applicant will be required to demonstrate that the dredged material to be placed in the DMPA is not contaminated and is compatible with the management plans for the facility. This will be ensured in accordance with the Galveston District Sediment Testing Protocol. No material will be placed into federally constructed DMPAs without sediment testing.
- iv. The applicant will be required to perform Before Dredging (BD) and After Dredging (AD) surveys for each dredging/disposal action, as identified below:
 - 1. Provide BD surveys and associated volume computations stamped, checked, and certified by a Registered Professional Licensed Surveyor (RPLS) and submitted to the Government for its review a minimum of ten (10) days prior to commencement of dredging operations. A RPLS will not be required to stamp, check and certify surveys and volume computations if the Government performs the BD surveys.
 - 2. Within fourteen (14) days of completing the dredging and disposal activity, the applicant shall provide AD surveys and associated volume computations stamped, checked, and certified by a RPLS, to the Government for its review. A RPLS will not be required to stamp, check and certify the surveys and volume computations if the Government performs the AD surveys.
 - 3. Within thirty (30) days of receipt of satisfactory AD data, the Government will complete a reconciliation of BD and AD data provided by the applicant to determine the actual quantity of dredged material placed.
 - 4. The Galveston District will track the non-Federal capacity constructed under 217(a) by subtracting the actual dredging volumes from the constructed non-Federal capacity. Once the non-Federal capacity has been exhausted, the DMPA will not be available for non-Federal use unless Galveston District allows further placement under subsequent agreement/s.
- v. The [Port of Texas City](#) ~~City of Texas City~~ or applicant shall coordinate each non-Federal dredging event with the Galveston District's TCSC Operations Manager, prior to commencement of dredging activities. Coordination to include, but not limited to:
 - 1. Scheduling pre-work and post-work meetings
 - 2. Ensure non-Federal dredging does not interfere with Federal operations and maintenance.

- 3. Ensure sediment testing is performed and analyzed in accordance with Galveston District Sediment Testing Protocol
- 4. Onsite pre-dredge and post-dredge site inspections
- vi. The applicant shall ensure that once disposal operations are completed, boards on the spillway of the DMPA are removed at a proper rate to allow and encourage drainage of the area. Spillways shall be operated in general accordance with guidelines contained in the Engineering Manual EM 1110-2-5025 entitled, "Engineering and Design, Dredging and Dredged Material Management," to maintain uniformity of weir elevation around the drop-outlet structure, as is practicable, during discharge of effluent. Boards shall be uniform in width and of proper length so insertion and removal is not difficult. Cracked, warped or boards of improper length shall be replaced. Seepage between boards during ponding shall be eliminated using plastic sheeting or other effective methods. Upon completion of discharge within the DMPA, the applicant will ensure that their contractor removes the boards as soon as practicable to accomplish drainage of the DMPA. The applicant will ensure that their contractor monitors the drainage of the DMPA for a minimum of 60 days to ensure maximum drainage.
- vii. All of the applicant's equipment and materials, other than dredged material, must be removed from the DMPA within 14 days after completion of the disposal operations.

b. Operations & Maintenance of Placement Area 5/6

The Government is responsible for all financial obligations for operations and maintenance of the Federal project, which includes Placement Area 5/6. Operations and Maintenance of Placement Areas includes, but is not limited to dewatering activities, clearing and mowing, spillway structure repair or replacement, and maintenance of access roads.

- i. Spillway Structure Repair or Replacement - Pre-Dredge and Post-Dredge site inspections of Placement Area 5/6 will be performed by both parties. If it is determined that the Spillway Structure(s) were damaged during non-Federal disposal operations, The City of Texas City will be responsible for the Repair or Replacement of the Spillway Structure as necessary to achieve a safe and stable structure per USACE specifications.
- ii. Emergency Situations - In the event of a natural catastrophe, or "Force Majeure," Placement Area 5/6 will be

repaired/maintained by both the Government and The City of Texas City on a pro-rata share relative to the additional capacity that was created under the 217(a) authority.

VI. METHOD OF PAYMENT FOR OPERATIONS AND MAINTENANCE

- a. The Non-Federal Sponsor shall provide the contribution of funds required by this agreement prior to advertisement of the solicitation pursuant FAR 32.7 and in accordance with the provisions below.
 - i. Not less than 30 calendar days prior to the scheduled date of advertisement of the solicitation the Non-Federal Sponsor shall make funds available to the Government. The Government shall notify the Non-Federal Sponsor in writing of such scheduled date and of the full amount of funds the Government determines to be required from the Non-Federal Sponsor to cover the costs of the work.

VII. NOTICES

- a. Any notice, request, demand, or other communication required or permitted to be given under this Operations Plan shall be deemed to have been duly given if in writing and either delivered personally or mailed, with return receipt, by registered or certified mail, as follows:

If to the Non-Federal Sponsor:

Mayor of Texas City
1801 9th Avenue N
Texas City, TX 77590

If to the Government:

District Engineer
U.S. Army Corps of Engineers, Galveston District
2000 Fort Point Road
Galveston, TX 77550

- i. A party may change the recipient or address to which such communications are to be directed by giving written notice to the other party in the manner provided in this paragraph.
- ii. This Operations Plan may be modified or amended only by written, mutual agreement of the parties.

IN WITNESS WHEREOF, the parties have executed this Operations Plan as of the day, month, and year first above written.

CORPS OF ENGINEERS

THE CITY OF TEXAS CITY

BY: _____
Chris Frabotta, P.E.
Chief, Operations Division

BY: _____
Dedrick D. Johnson
Mayor, Texas City

DATE: _____

DATE: _____

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made by and between The City of Texas City, a Texas home-rule municipality (the "City") and the Texas City Terminal Railway Company/Port of Texas City (hereinafter, the "Port")(collectively, the "Parties").

WHEREAS, the Port proposes to develop an application for a grant from the Port Infrastructure Development Program (the "Program"), in partnership with the City, to access federal funding; and

WHEREAS, the City has agreed to function as a non-federal sponsor for the Program, meaning that the City will act as a pass-through entity to the Port, if the Port is approved for funding from the Program.

NOW THEREFORE, pursuant to this Memorandum of Understanding, the Parties approve and agree to the following terms:

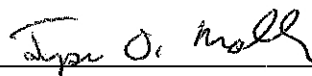
- The Port proposes to develop and submit an application through the Program, in partnership with the City, to obtain federal funding for port projects for the Port
- These funds are specifically available for port projects, for the economic and societal benefit of the City, its largest employers, and the Port
- The Port is able and willing to complete all application materials and forms and facilitate City submission of the application through Grants.gov for the Program
- Funds awarded or otherwise granted to the City from the Program shall be directed by the City to the Port in full to be used by the Port for port infrastructure related development projects identified in the application
- The Port, not the City, will absorb all costs, risks, and responsibilities involved in the development and execution of any Program-funded project, to include the provision of local cost-sharing requirements and any costs in excess of a federal award from the Program.

AGREED AND APPROVED this 19th day of February 2025

The City of Texas City

Texas City Terminal Railway Company/Port
of Texas City

By: _____
Dedrick Johnson Jr., Mayor

By:  _____
Tyson Moeller
President, Executive Port Director

RESOLUTION NO. 2025-020

A RESOLUTION AUTHORIZING THE CITY OF TEXAS CITY TO SUBMIT A PORT INFRASTRUCTURE DEVELOPMENT PROGRAM GRANT APPLICATION AND TO ACT AS A PASS-THROUGH ENTITY TO THE TEXAS CITY TERMINAL RAILWAY COMPANY/PORT OF TEXAS CITY, IF APPROVED FOR FUNDING; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, Texas City Terminal Railway Company/Port of Texas City (TCT) propose to develop an application through this program, in partnership with the City of Texas City (City), to leverage federal funding;

WHEREAS, these funds are specifically available to port projects, for the economic and societal benefit of the City, its largest employers, and the Port of Texas City;

WHEREAS, TCT is able and willing to complete all application materials and forms and facilitate City submission of the application through Grants.gov; and

WHEREAS, TCT is willing to absorb all costs, risks, and liabilities involved in the development and delivery of the grant-funded project, to include the provision of local cost-sharing requirements and any costs in excess of a federal award.

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 staff to submit application on behalf of Texas City Terminal Railway Company/Port of Texas City.

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

PASSED AND ADOPTED this 19th day of February 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

(7) (f)

Meeting Date: 02/19/2025

Consider and take action on Resolution No. 25-021, authorizing the Mayor to enter into an agreement with Metropolitan Life Insurance Company to replace the current vendor for the Retired Lives Reserve Plan.

Submitted For: Jennifer Price, Human Resources

Submitted By: Jennifer Price, Human Resources

Department: Human Resources

Information

ACTION REQUEST

Consider and take action on Resolution No. 25-021, authorizing the Mayor to enter into an agreement with Metropolitan Life Insurance Company to replace the current vendor for the Retired Lives Reserve Plan.

BACKGROUND (Brief Summary)

The City of Texas City has a Retired Lives Reserve (RLR) Plan with The Standard Insurance Company dating back to August 1, 1993, and prior to that the vendor was Texas Life. The RLR is a benefit that was discontinued for City of Texas City new hires after March 1, 2019. Those eligible for the RLR are employees who retire under Texas Municipal Retirement System (TMRS) at age 60 or older and have at least 10 or more years of service with the City, or an employee who retires under TMRS and has at least 20 years of service with the City at any age. The benefit is a paid-up life insurance policy for the retiree in the amount of \$10,000.

In May of 2024, the City received notification from The Standard Insurance Company that they have decided to stop offering services to RLR plans and gave us the option to have the funds returned to the City or to have the funds sent to another financial institution of our choosing. While we did discontinue the benefit for new hires after March 1, 2019, we still have the obligation of a pool of employees that are still eligible or potentially eligible upon their retirement.

Metropolitan Life Insurance Company (Metlife) provided the City with an option to continue the plan for those that are still eligible or potentially eligible upon their retirement. Metlife has a dedicated Post Retirement Benefits team that also provides the related reporting and valuation assistance to plan sponsors in compliance and decision-making related to GASB 74/75. Metlife offers what they call a Guaranteed Life Insurance Funding Account (GLIFA) or a retiree life buyout. To establish the GLIFA, a one-time lump sum payment is sent to Metlife for a select number of RLR eligible employees with pricing based on interest rates, mortality, demographics, coverage amounts, and plan design. The lump sum payment needed to establish the GLIFA is \$161,216.00 which is covered by the balance of the RLR Plan from The Standard Insurance Company and can be transferred to Metlife. Additionally, to fund the pool of employees eligible or potentially eligible upon their retirement, Metlife provided the Benefit Funding Solution for Post-Retirement Benefits. A majority of the balance in the RLR Plan from The Standard Insurance Company can be transferred to Metlife and placed in their funding agreement for terms from one year to ten years with guaranteed interest rates for

each term. The remaining balance in the RLR Plan from The Standard Insurance Company can be transferred to Metlife and placed into a short-term index or liquidity rate in order to meet current and future cash flow needs associated with the plan.

RECOMMENDATION

It is recommended to approve this resolution authorizing the Mayor to enter into this agreement with Metropolitan Life Insurance Company to replace the current vendor for the Retired Lives Reserve Plan.

Fiscal Impact

Attachments

Standard Termination Letter

Metlife Post Retirement Benefit Solutions Proposal

Metlife Benefit Funding Solutions Proposal

Draft Letter of Commitment for Metlife

Draft Letter for Funding Agreement for Metlife

Resolution



May 16, 2024

Jennifer Price
Jprice@texascitytx.gov

RE: City of Texas City Retired Life Reserve Plan

Dear Jennifer:

The Standard recently completed a comprehensive review of the services we provide, and after careful consideration, we decided to stop offering actuarial services to Retiree Life Reserve plans effective immediately, including valuation services.

Consistent with this decision, and in accordance with our contract, we are providing you with this 60-day notice terminating our actuarial services. It has been our pleasure doing business with you and providing this service.

Your investment account is currently and has always been 100% invested in our Stable Value product. That will not change until you notify us of your decision to either 1) have the funds returned to you, or 2) have the funds sent to another financial institution of your choosing.

Once you've decided how to proceed, please respond within 60 days with wire instructions to move the funds and close out your account with The Standard.

This change will not impact your life insurance arrangement with The Standard, unless you choose for it to do so. Premiums for each employee that retires and is eligible for this benefit will still need to be paid directly from either you or the new financial institution holding the retired life reserve investments.

If you have any questions, please contact Jennifer Moore at Jennifer.Moore@Standard.com or 971-321-3226. Thank you again for your business.

Kind regards,

Julie Briggs
VP Strategic Innovation/Emerging Markets & AMG Actuary



Post Retirement Benefit Solutions

Guaranteed Life Insurance Funding Account (GLIFA)
for Tax-Exempt Plan Sponsors

Proposal for:

City of Texas City, Texas

Retiree Life Insurance Buyout

January 16, 2025

Metropolitan Life Insurance Company
New York, NY 10010

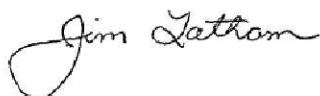
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With over 150 years of industry experience, Metropolitan Life Insurance Company ("MetLife") has the financial strength and stability to fulfill our promises today and over the long haul. We've made Group Life our business since 1917, evolving our offerings and services so we can help you manage every aspect of your benefits program. MetLife has been a leading provider of Group Life benefits for over 25 years.

Through a dedicated Post Retirement Benefits (PRB) team, MetLife offers its expertise and a portfolio of products and services that provide liability management and funding solutions to support long term retiree life strategies. We also provide related reporting and valuation assistance to plan sponsors in compliance and decision making related to GASB 74/75 accounting rules. Let us help you handle the complex issues surrounding retiree welfare benefit funding programs.

Please contact me to discuss this proposal in more detail.

Sincerely,

A handwritten signature in black ink that reads "Jim Latham". The signature is written in a cursive style with a large, looping initial "J".

Jim Latham
Market Director
Post Retirement Benefits
(908) 253-2675
jlatham1@metlife.com

Getting Started with a Retiree Life Buyout

MetLife's Guaranteed Life Insurance Funding Account (GLIFA) is a liability transfer solution, often referred to as a retiree life buyout. GLIFA effectively transfers a plan sponsor's GASB 74/75 liability and plan administration for a group of specifically named retirees to MetLife and relieves the employer of future cost increases associated with the group term life insurance plan for the named retirees. A GLIFA can be completed in five easy steps:

- 1 The GLIFA retiree life buyout starts with an analysis of the retiree life liability on a closed group of specifically named current retirees.
- 2

A GLIFA purchase is completed via a **one-time lump sum payment** or installment payment schedule. MetLife's guarantee is that a plan sponsor's out-of-pocket costs will never exceed the GLIFA purchase price.

The components that are considered in the pricing of this product are interest rates, mortality, demographics, coverage amounts, and plan design.

The price is quoted on a daily basis and is adjusted at the time a customer decides to proceed in order to reflect changes in the current interest markets and any changes to the covered group or aggregate amount of life insurance for the group. The price is the cost to transfer this liability to MetLife and includes all mortality costs, expenses and stop loss coverage.
- 3 A simple amendment is added to a plan sponsor's MetLife group term life insurance plan to establish a reserve, often referred to as a **retired lives reserve**. This reserve acts as the source for each year's group term premium to cover the annual life insurance costs for the covered retirees.
- 4 Should the retired lives reserve prove insufficient in future years to cover the retiree plans costs, an **aggregate stop loss policy** provides the plan sponsor with an amount sufficient to make up any shortfall between the premium required under the group term life insurance policy and the retired lives reserve
- 5 Included in the buyout is the **transfer of retiree life recordkeeping** to MetLife. This includes maintaining beneficiary information, address or other changes, and claims processing.

Plan Features and Limitations

- The plan must be non-discriminatory.
- The group of retirees to be covered under a GLIFA arrangement must have been covered under a group term life insurance plan while they were active employees.
- Key employees are typically not included under the GLIFA arrangement.
- Once the GLIFA is established, the plan sponsor may not recapture, or transfer funds committed for this purpose.
- GLIFA is a financial arrangement between a plan sponsor and MetLife. There is no individual promise made to any individual retiree. Subject to the terms and conditions of the contract, a GLIFA arrangement is irrevocable. Once plan sponsor funds are committed, the plan sponsor may not recapture or transfer these funds.

GLIFA Recordkeeping and Administration

A GLIFA arrangement transfers all current records on covered retirees to MetLife. MetLife takes over administrative and recordkeeping functions such as maintaining inforce amounts, beneficiary designations, toll free customer service and death claims adjudication for the retiree group term life insurance plans included in the buyout. Our Recordkeeping Enrollment Services (RES) Center is a full-service organization experienced in employee benefits administration and consulting. RES currently services over 1.7 million active and retired plan participants. More specifically, MetLife provides the following services to support the GLIFA:

Customer Service

- Provide direct customer service to retirees via a toll-free number
- Beneficiary, general and retiree-specific life insurance questions
- Respond to written inquiries regarding life insurance
- Offer a Telecommunications Device for the Hearing Impaired (TDD)
- Survey callers regarding the customer service received

File Maintenance

- Input beneficiary information into database
- Store hard copy beneficiary designations, special designations, absolute assignments
- Track the date of each retiree's most recent beneficiary designation

Beneficiary Processing

- Receive beneficiary, special beneficiary, and absolute assignment forms directly from the retiree
- Review and process all forms as appropriate

Death Claims Preparation

- Accept notification of death directly from survivor
- Notify plan sponsor of death and verify coverage information, if requested
- Identify beneficiary(ies) and verify addresses
- Prepare and send death claim package to beneficiary(ies)
- Forward life insurance file to MetLife Group Claims Office

Survivor Assistance

Delivering The Promise (DTP) is a service designed to help beneficiaries sort through the details and serious questions about claims and financial needs. This program provides personal assistance and specialized services to employees and their beneficiaries at no additional cost to the company, the employee, or the beneficiary. MetLife has arranged for specially trained Delivering the Promise Specialists to help beneficiaries foresee and resolve many of the issues they may face during a sensitive time.

Quote Specifications and Assumptions for City

The following summarizes the cost and assumptions for the GLIFA for City according to the most recent census provided:

Covered Group: 35 Current Retirees
(based on census and plan design provided)

Total Lump Sum Deposit: \$ 161,216 Deposit at Issue.

This group is quoted on a guaranteed issue basis for the amount of coverage specified. This amount includes the aggregate stop loss premium charge and City will not need to provide additional funds unless additional retirees are added to this arrangement. This product's guarantee is contingent upon all of the payments received by MetLife in accordance with the schedule above.

General Provisions

- In the event the Fund's balance is not sufficient to provide for the cost of insurance, MetLife agrees to pay an amount sufficient to cover the annual term life insurance premium costs for the group. In the event that any such payment is made to City, it is expected that it will be used for the payment of annual term premiums. If these payments are not made, life coverage will cease on the respective retirees. These supplemental payments are provided through a separate Aggregate Stop Loss contract between City or a trustee and MetLife.
- Under GLIFA, the plan sponsor may not recapture or transfer the funds.
- If City wishes to add additional retirees under the guaranteed arrangement in the future, an additional stop loss rider can be issued.

Assumptions

- We have assumed that City is a tax-exempt organization under federal tax law and that all of the contributions were exempt from tax throughout the 5-taxable year period ending with the taxable year in which the contributions are made -- and as a result not subject to tax code limits.
- We have assumed the data includes no key employees, and that all retirees were covered under a group term life plan while active employees.
- The retiree inforce is \$350,000, all of which can be funded through GLIFA.
- Retiree amounts are established at the time of issue in accordance with the plan design quoted.
- This is an illustrative or sample proposal. Proposal and pricing are updated and finalized on the date that a client decides to proceed.
- Additional assumptions and provisions are outlined in the following pages.

The GLIFA quote is repriced daily and will be updated to reflect current interest rates. The price is subject to final revision when a commitment is made to transfer the funds to reflect

the most current interest environment. Our quote is for the retiree life liability and is based on the census of retirees and retiree life coverage provided by the plan sponsor at the time of quote. Prior to executing this contract, MetLife requires a final list of the specific individuals covered and the amounts involved.

MetLife, its agents, and representatives may not give legal or tax advice upon which any other party may rely. Any discussion of taxes herein or related to any attached document is for general information purposes only and does not purport to be complete or cover every situation. Tax law is subject to interpretation and legislative change. Tax results and the appropriateness of any product for any specific taxpayer may vary depending on facts and circumstances. Employers should consider consulting with their own independent tax, legal or accounting advisers regarding their particular facts and circumstances.

The attached Exhibits are based on information provided by you about your employee population and life plan. Please review the summary of assumptions and information carefully. The accuracy of these Exhibits is dependent on the assumptions and information provided. These Exhibits are included to provide information to you as a potential customer and to your tax and accounting team. However, these Exhibits may not be used for financial reporting or as an official external actuarial valuation of your life plan for audit or regulatory reporting purposes. While MetLife can share its views, MetLife cannot provide tax, legal or accounting advice to customers.

Like most group life insurance policies, MetLife life insurance policies contain certain exclusions, limitations, reductions of benefits and terms under which the policy may be discontinued. For costs and complete details of the coverage, contact your MetLife representative.

Guaranteed Life Insurance Funding Account (GLIFA)
City of Texas City
Retiree Life Insurance Buyout

Demographics			
	Total	Fundable	Non Fundable
Number of Eligible Retirees	35	35	0
Total Inforce	\$350,000	\$350,000	\$0

Quote	
Premium	\$161,216

Plan Design	
Plan Description	Retiree Life Insurance Benefit: \$10,000.
Reduction Formula	None
Quoted Plan Design Deviations	This quote covers life insurance benefits for future retirees. However, the retiree life insurance benefits quoted shall only become effective after an eligible employee retires from the City.
Census Manipulation	This quote covers a select group of 35 active employees or potentially eligible future retirees of the City. They are generally the oldest or most likely active employees to meet the City's eligibility requirements for future retiree life insurance benefits.

Plan and Underwriting Assumptions	
Valuation Date	1/15/2025
Effective Date	2/1/2025
Standard Broker Commissions Plus Service Fees	\$5,104

Additional Comments:	
Please note that MetLife's Guaranteed LIFA (GLIFA) is repriced daily based on covered volume, census and current market interest rates. Therefore, MetLife will update pricing on the transaction date, which is the date that the lump sum premium payment is made to MetLife. Before the Effective Date, MetLife will require a final list of the individuals covered under the buyout or GLIFA, their SSNs, genders, dates of birth, and dates of hire/retirement, as applicable. For future retirees, we will need to be notified when they transition from active employee to retiree status. Additional information, such as retiree current addresses, will also be required for recordkeeping. The price for lifetime recordkeeping and customer service for covered retirees is included in our quoted price.	

U.S. Business Intermediary and Producer Compensation Notice

Metropolitan Life Insurance Company, Metropolitan Tower Life Insurance Company, MetLife Consumer Services, Inc. and Metropolitan General Insurance Company (collectively herein called "MetLife"), enters into arrangements concerning the sale, servicing and/or renewal of MetLife group insurance and certain other group-related insurance and non-insurance products ("*Products*") with brokers, agents, consultants, third party administrators, general agents, associations, and other parties that may participate in the sale, servicing and/or renewal of such products (*each an "Intermediary"*). MetLife may pay your Intermediary compensation, which may include, among other things, base compensation, supplemental compensation and/or a service fee. MetLife may pay compensation for the sale, servicing and/or renewal of products, or remit compensation to an Intermediary on your behalf. Your Intermediary may also be owned by, controlled by or affiliated with another person or party, which may also be an Intermediary and who may also perform marketing and/or administration services in connection with your products and be paid compensation by MetLife.

Base compensation, which may vary from case to case and may change if you renew your products with MetLife, may be payable to your Intermediary as a percentage of premium or a fixed dollar amount. MetLife may also pay your Intermediary compensation that is based upon your Intermediary placing and/or retaining a certain volume of business (*number of products sold or dollar value of premium*) with MetLife. In addition, supplemental compensation may be payable to your Intermediary for eligible Products. Under MetLife's current supplemental compensation plan (SCP), the amount payable as supplemental compensation may range from 0% to 9% of premium or fees. The supplemental compensation percentage may be based on one or more of: (1) the number of products sold through your Intermediary during a one-year period, or other defined period; (2) the amount of eligible new or renewal premium or fees with respect to products sold through your Intermediary during a one-year period; (3) the persistency percentage of products inforce through your Intermediary during a one-year period; (4) the block growth of the products inforce through your Intermediary during a one-year period; (5) eligible new or renewal premium or fees growth during a one-year period; or (6) a flat amount, fixed percentage or sliding scale of the premium or fees for products as set by MetLife. The supplemental compensation percentage will be set by MetLife based on the achievement of the outlined qualification criteria and it may not be changed until the following SCP plan year. As such, the supplemental compensation percentage may vary from year to year, but will not exceed 9% under the current supplemental compensation plan.

The cost of supplemental compensation is not directly charged to the price of our products except as an allocation of overhead expense, which is applied to all eligible group insurance products, whether or not supplemental compensation is paid in relation to a particular sale or renewal. As a result, your rates will not differ by whether or not your Intermediary receives supplemental compensation. If your Intermediary collects the premium or fees from you in relation to your products, your Intermediary may earn a return on such amounts. Additionally, MetLife may have a variety of other relationships with your Intermediary or its affiliates, or with other parties, that involve the payment of compensation and benefits that may or may not be related to your relationship with MetLife (*e.g., insurance and employee benefits exchanges, enrollment firms and platforms, sales contests, consulting agreements, participation in an insurer panel, or reinsurance arrangements*).

More information about the eligibility criteria, limitations, payment calculations and other terms and conditions under MetLife's base compensation and supplemental compensation plans can be found on MetLife's Website at www.metlife.com/business-and-brokers/broker-resources/broker-compensation. Questions regarding Intermediary compensation can be directed to ask4met@metlifeservice.com, or if you would like to speak to someone about Intermediary compensation, please call (800) ASK 4MET. In addition to the compensation paid to an Intermediary, MetLife may also pay compensation to your representative. Compensation paid to your representative is for participating in the sale, servicing, and/or renewal of products, and the compensation paid may vary based on a number of factors including the type of product(s) and volume of business sold. If you are the person or entity to be charged under an insurance

policy or annuity contract, you may request additional information about the compensation your representative expects to receive as a result of the sale or concerning compensation for any alternative quotes presented, by contacting your representative or calling (866) 796-1800.

Non-U.S. Coverage

When providing you with information concerning an eligible group insurance policy issued or proposed to your affiliate or subsidiary outside the United States by a MetLife affiliate or by other locally licensed insurers that are members of the MAXIS Global Benefits Network (MAXIS GBN), New York insurance law requires the person providing the information to be licensed as an insurance broker. In this capacity, the information provided to you will only be on behalf of such insurers and not on behalf of MetLife or any other insurer that is not a member of MAXIS GBN. Please note that while MetLife is a member of MAXISGBN and is licensed to transact insurance business in New York, the other MAXIS GBN member insurers are not licensed or authorized to do business in New York. The group insurance policies they issue are for coverage outside the United States and are governed by the laws of the country they were issued in. These policies have not been approved by the New York Superintendent of Financial Services, are not subject to all of the laws of New York, and are not protected by the New York State Guaranty Fund.

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Benefit Funding Solutions

PRB Funding Agreement

Proposal for:

City of Texas City, Texas

January 16, 2025

Metropolitan Life Insurance Company
New York, NY 10166
L0324039086[exp0525][All States][DC]

Getting Started with a PRB Funding Agreement

The PRB Funding Agreement provides for Metropolitan Life Insurance Company (“MetLife”) to hold money and credit interest at a guaranteed rate. A PRB Funding Agreement can satisfy a variety of specific employee benefit funding needs.

Under a PRB Funding Agreement, the amount to be credited with interest is typically deposited in a lump sum but can be paid through installment payments.

- Principal is guaranteed by MetLife, and MetLife credits guaranteed interest at one or more specified rates, depending on the terms selected.¹
- Interest earnings are reported annually and paid at maturity.
- A PRB Funding Agreement can generally be issued to either an employer or to a Trust to fund employee benefit programs. This may affect the tax treatment of the interest earnings.
- PRB Funding Agreements meet ERISA requirements that plan assets be held either in insurance company contracts or trusts (ERISA Section 403, 29 U.S.C. Section 1103).²
- PRB Funding Agreements can be established rapidly, may not require IRS or DOL filings or determination letters, and may be associated with one or more plans or programs.
- MetLife requires written notice to allocate all or part of the money to another MetLife arrangement or otherwise withdraw funds.

¹ MetLife guarantees are subject to its financial strength. For current ratings information and a more complete analysis of the financial strength of MLIC, please go to www.metlife.com and click on “About MetLife”, “Ratings”.

² MetLife, its agents, and representatives may not give legal, ERISA, or tax advice upon which any other party may rely. Any discussion of taxes herein or related to any attached document is for general information purposes only and does not purport to be complete or cover every situation. ERISA and Tax law is subject to interpretation and legislative change. Tax results and the appropriateness of any product for any specific taxpayer may vary depending on facts and circumstances. Employers should consider consulting with their own independent legal, ERISA, and tax advisers regarding their particular set of facts and circumstances.

City of Texas City, Texas understands that in the negotiation, sale, and issuance of a PRB Funding Agreement to your Plan or Trust (the “Transaction”), MetLife is acting in its capacity as an issuer of a PRB Funding Agreement, and is not providing investment advice or giving advice in a fiduciary capacity.

PRB Funding Agreement Crediting Rate***Guaranteed Interest Rates as of January 16, 2025**

Term	Rate
1 Year	4.30%
2 Years	4.81%
3 Years	5.09%
4 Years	5.24%
5 Years	5.38%
6 Years	5.40%
7 Years	5.34%
8 Years	5.33%
9 Years	5.31%
10 Years	5.29%

- The Guaranteed Interest Rate mechanism uses a directed asset approach; the interest rate guaranteed is based on current investment markets. Guaranteed rates under this option are priced daily and are locked in on the day of the employer's commitment.
- Withdrawals from money allocated to the Guaranteed Interest Rate option are not allowed prior to the maturity date.

Liquidity Interest Rate

The January 2025 Liquidity Interest Rate is 4.11%

- Typically used in conjunction with a guaranteed interest rate allocation, a short-term index rate is available for the portion of the Funding Agreement assets that are allocated to meet current to intermediate cash flow needs associated with a particular plan.
- For funds held to meet current cash flow requirements for a specific plan, the interest rate any month will be equal to the discount rate of the six-month Treasury bills set at the first weekly auction in that month.

*All interest rates are stated as effective annual yields.

Letter of Commitment for MetLife Retiree Life Insurance Buyout
(Print on City of Texas City Letterhead & Signed by Authorized Officer)

City of Texas City, Texas ("Texas City") has elected to purchase MetLife's Retiree Life Insurance Buyout or Guaranteed Life Insurance Funding Account (GLIFA) arrangement to be effective on the later of **March 1, 2025** or the date that funds are available for withdrawal from Texas City's Funding Agreement with MetLife (the Effective Date). The GLIFA will cover 35 current or future retirees identified in the census provided to MetLife, each with a retiree life insurance benefit of \$10,000, for a total inforce volume of \$ 350,000. Based on MetLife's proposal dated January 16, 2025, the GLIFA single lump sum premium was \$161,216

Please accept this letter as direction and authorization for MetLife to withdraw the lump sum payment from the Texas City Funding Agreement with MetLife.

Texas City understands or agrees to the following:

1. MetLife's GLIFA quote is repriced daily based on the covered inforce volume and current market interest rates. The final GLIFA lump sum price will be updated to reflect current interest rates on the Effective Date. The GLIFA or buyout becomes effective only after payment of the lump sum or initial installment.
2. MetLife assumes the retiree life insurance obligation and recordkeeping for the specified retirees listed in the census, and for the future retirees on their dates of retirement. No additional premium shall be due for their specified retiree life insurance benefits.
3. MetLife considers the retiree life insurance buyout to be irrevocable. Once funds are committed, neither Texas City or any successor may recapture or transfer funds.
4. Texas City will provide a final census of all retirees covered under the GLIFA, which shall include all fields required by MetLife to provide recordkeeping services.
5. GLIFA implementation will commence on or after the Effective Date and occurs over an 8 to 12-week period. During this period, MetLife will send them a welcome letter with a toll-free customer service number, their individual certificate and a beneficiary designation form, if they wish to update or change their beneficiary.
6. Upon retirement, Texas City shall transfer current life insurance records, to include current beneficiary designations, to MetLife. MetLife will take over administrative and recordkeeping including maintaining inforce life insurance coverage amounts and beneficiary designations and providing toll free customer service and death claims payment adjudication for retirees as outlined in MetLife's proposal for Texas City.
7. Texas City has reviewed the benefits, accounting and tax issues pertinent to the buyout before proceeding and is relying upon the advice of its own advisors and/or counsel in these matters.
8. Texas City acknowledges receipt and review of the MetLife Proposal for Texas City.

City of Texas City _____
(Authorized Signee)

Date

PRINT ON CITY OF TEXAS CITY LETTERHEAD

Terry Louie
Account Executive
MetLife

Subject: Letter of Direction for MetLife Funding Agreement

City of Texas City, Texas commits to purchase MetLife's Funding Agreement to be effective on the date that MetLife receives the transferred RLR assets from Standard Insurance Company.

Interest Crediting. Upon receipt of the transferred assets, the City of Texas City directs MetLife to allocate the funds to the following Guaranteed Interest Rate Crediting Terms:

<u>Term</u>	<u>Amount</u>
1 Year	\$50,000
2 Year	\$50,000
3 Year	\$50,000
4 Year	\$50,000
5 Year	\$50,000
6 Year	\$50,000
7 Year	\$50,000
8 Year	\$50,000
9 Year	\$50,000
10 Year	\$50,000

The remaining balance (approximately \$190,000) shall be placed into a short-term index or Liquidity rate. These assets are available for withdrawal to meet current year cash flow needs. However, withdrawals are generally limited to no more than one per quarter. The Liquidity Interest Rate in any month will be equal to the discount rate of the six-month Treasury bills set at the first weekly auction in that month. The January 2025 Liquidity Rate was 4.11%. All rates are effective annual yields.

Fund Distributions: Funds allocated to Guaranteed Interest Rates are not available until Maturity or the end of the Term. Subsequent Guaranteed Interest Rates may be selected at the Maturity of each Term as provided in a new Letter of Direction. Otherwise, the assets will be credited or allocated to the Liquidity Interest Rate at the end of the Term.

City of Texas City, Texas

Signature

Title

Date

RESOLUTION NO. 2025-021

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH METROPOLITAN LIFE INSURANCE COMPANY TO REPLACE THE CURRENT VENDOR FOR THE RETIRED LIVES RESERVE PLAN; AND PROVIDING THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, in May of 2024, the City received notification from The Standard Insurance Company that they have decided to stop offering services to RLR plans and gave us the option to have the funds returned to the City or to have the funds sent to another financial institution of our choosing. While we did discontinue the benefit for new hires after March 1, 2019, we still have the obligation of a pool of employees that are still eligible or potentially eligible upon their retirement; and

WHEREAS, Metropolitan Life Insurance Company (Metlife) provided the City with an option to continue the plan for those that are still eligible or potentially eligible upon their retirement.

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

SECTION 1: The City Commission authorizing the Mayor to enter into an agreement with Metropolitan Life Insurance Company to replace the current vendor for the Retired Lives Reserve Plan.

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

PASSED AND ADOPTED this 19th day of February 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**(7) (g)****Meeting Date:** 02/19/2025

Submission of the 2023 CDBG Consolidated Annual Performance Evaluation Report (CAPER)

Submitted For: Titilayo Smith, Community Development/ Grant Admin**Submitted By:** Patricia Mata, Community Development/ Grant Admin**Department:** Community Development/ Grant Admin

Information**ACTION REQUEST**

Review and approve the Consolidated Annual Performance Evaluation Report (CAPER) for the City's CDBG activities for FY 2023, submission to the U.S. Department of Housing and Urban Development.

BACKGROUND (Brief Summary)

The City is required to submit a CAPER to HUD annually by December 30th, describing the City's progress in meeting the goals of the Five-year Consolidated Plan. The CAPER was available for public comment for 15 days from January 31, 2025, to February 17, 2025. The City considered all written or oral comments from citizens in preparing the CAPER. A summary of these comments, including those not accepted and the reasons for their rejection, if any, will be provided date of commission meeting and attached to the CAPER. The final CAPER and public comments will be submitted to HUD and made available for citizens to review on the City's website.

RECOMMENDATION

It is recommended by the Director of Community Development & Grants Administration that the PY - 2023 CAPER be submitted to HUD.

Fiscal Impact**Attachments**

Draft PY 2023 CAPER
Resolution



Community Development
Block Grant (CDBG)

2023 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

Dedrick D. Johnson, Sr.

Mayor

City of Texas City, Texas

Titilayo Smith

Director

Community Development & Grants Administration

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City of Texas City 2023 Consolidated Annual Performance & Evaluation Report (CAPER) marks the last year of the annual performance review, detailing progress made from October 1, 2023, through September 30, 2024, towards achieving the goals set in the FY 2020-2024 Consolidated Plan & Strategy (Con Plan).

The funds were utilized to support a range of initiatives, including Housing Rehabilitation, Housing Reconstruction, Commercial Rehabilitation, Neighborhood Cleanup and Beautification, Public Facilities and Improvement, and Transformation and Revitalization Planning. The Housing Rehabilitation Program targeted low-income families and individuals, providing essential repairs and improvements such as plumbing, electrical work, roofing, and structural repairs. By enhancing the quality of housing, the City aimed to improve living conditions, prevent homelessness, and preserve the housing stock. The Community Development Department has successfully completed 12 projects for FY 2023. Under the Housing Reconstruction Program, the City provided support for the complete rebuilding of five severely dilapidated and unsafe homes. This program was crucial for residents whose homes were beyond repair and required demolition and reconstruction. The initiative ensured that affected families received new homes that met current building codes and standards, offering safe, stable, and energy-efficient living environments. Three of the five homes under this program began construction in 2024 and are projected to be completed by February 2025.

Throughout the program year, the City of Texas City made significant progress in advancing its strategic goals and addressing critical community needs. The initiatives mentioned above demonstrate the City's commitment to improving the quality of life for its residents and fostering a vibrant, sustainable community. The CAPER report highlights the successful implementation of these initiatives and the positive impact that they have had on the community.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Perc ent Com plet e
Administration/Planning	Administration/Planning	CDBG: \$	Other	Other	N/A	N/A	N/A	N/A	N/A	N/A
Expand Public Facilities	Non-Housing Community Development	CDBG: \$	Other	Other	3	0	0.00%	0	0	0
Housing Reconstruction	Affordable Housing	CDBG: \$ / American Rescue Plan: \$	Homeowner Housing Rehabilitated	Household Housing Unit	5	1.5	30.00%	5	1.5	30%
Improve Access to Public Facilities	Non-Housing Community Development	CDBG: \$	Other	Other	0	0	0	0	0	0
Improve Condition of Housing Stock	Affordable Housing	CDBG: \$ / American Rescue Plan: \$	Homeowner Housing Rehabilitated	Household Housing Unit	50	19	38.00%	20	12	60.0 0%
Improve Facades	Non-Housing Community Development	TCEDC: \$ / TEDC: \$50000	Facade treatment/business building rehabilitation	Business	10	0	0.00%	10	0	0.00 %
Improve Presentation of LMI areas.	Non-Housing Community Development	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	58	0	0.00%	0	0	0
Improve Presentation of LMI areas.	Non-Housing Community Development	CDBG: \$	Buildings Demolished	Buildings	0	0	0	0	0	0

CAPER

2

Improve Presentation of Low- to Mod-Areas		CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0		4938	0	0.00 %
Improve Presentation of Low- to Mod-Areas		CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0		4938	0	0.00 %
Improve Presentation of Low- to Mod-Areas		CDBG: \$	Buildings Demolished	Buildings	0	0		0	0	
Modernize/Repair Public Housing Buildings	Affordable Housing Public Housing Non-Homeless Special Needs	CDBG: \$	Rental units rehabilitated	Household Housing Unit	25	25	100.00%			
Provide Housing Assistance	Affordable Housing Non-Homeless Special Needs	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0		0	0	0.00 %
Provide Housing Assistance	Affordable Housing Non-Homeless Special Needs	CDBG: \$	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	80		0.00%			
Provide Housing Assistance	Affordable Housing Non-Homeless Special Needs	CDBG: \$	Direct Financial Assistance to Homebuyers	Households Assisted	5	1	20.00%	4	0	0.00 %

Provide Supportive Services & Employment for Youth	Non-Housing Community Development	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	0	0	0	0	0
Provide Supportive Services & Employment for Youth	Non-Housing Community Development	CDBG: \$	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	6	4	0	66.67%	0	0

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City’s highest priority needs, as outlined in the current Consolidated Plan, are (1) Preserving the Housing Stock, (2) Making Affordable Housing Accessible, and (3) fostering “Economic Development.” The City has allocated funding to rehabilitate commercial properties adjacent to low-mod-income residential neighborhoods to attract more businesses to the community. The key to success will be maintaining a strong focus on outcomes, tracking performance, and ensuring funds are being deployed to achieve measurable impacts in line with the city’s most pressing needs.

The Housing Rehabilitation Program completed repairs for seven (7) homes and began reconstruction on the first three (3) homes of the five (5) approved to receive assistance. Housing reconstruction projects are projected to be completed in PY 2024.

Housing Reconstruction has five (5) houses in pre-construction using CDBG and ARPA funds. Three of the five homes are projected to be completed in February 2025. The remaining two will begin construction in February 2025.

Keep Texas City Beautiful had two (2) major cleanup projects (Fall Sweep and the Great American Cleanup). This program year (5) yards were

assessed, and none were deemed eligible for the individual yard clean-up.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	3
Black or African American	9
Asian	0
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Total	12
Hispanic	0
Not Hispanic	12

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The Housing Rehabilitation Program collected racial and ethnic data specifically for the purpose of understanding the demographics of the families it assisted. This data collection is essential for ensuring that the program serves a diverse group of beneficiaries and addresses housing needs equitably.

The families assisted by the Housing Rehabilitation Program are composed of individuals who identify as White and Black or African American. This indicates that the program has reached out to and provided assistance to families from these racial backgrounds, ensuring that both racial groups benefit from the housing support and rehabilitation services offered.

The data collected focuses on the racial composition of the families, specifically noting the presence of White and Black or African American families. While ethnic data may typically include details such as Hispanic or Latino origin, the provided information does not specify additional ethnic details beyond the racial categories mentioned.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	849,200.45	849,200.45
CDBG	Public- federal	374,271.00	36,536.58
General Fund	Public -local	\$100,00	100,00
Other - ARPA	Public Federal	200,000	129,726.28
Other- TCEDC	Public-local	50,000	0

Table 3 - Resources Made Available

Narrative

The City of Texas City was allocated \$374,271.00 in CDBG funds for PY 23 and expended \$36,536.58 to provide housing assistance, improve low-mood-income areas, and preserve the housing stock . The City has 3 of the 5 homes under reconstruction totaling \$722,852.72, and reaching completion status February 2025 with the remaining two starting March 2025. The city was able to leverage ARPA funds and expended \$129,726.28 under the the housing reconstruction and rehabilitation program. The Community Development Department expended \$849, 200.45 and made a Lump Sum Draw for \$648,827.96 from combined CDBG funds from previous years. Texas City does not receive any HOME, HOPWA, or ESG funds.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
City Wide	20	20	Housing Rehabilitation & Reconstruction and Neighborhood Clean-up
Low and Moderate Income Areas	80	80	In the City's target areas of Greater Chelsea Manor Area and the 1867 Historic Settlement District.

Table 4 – Identify the geographic distribution and location of investments

Narrative

The geographic distribution of and location of investments reflects that the City's goals were met with 80% of funds allocated to Low to Moderate Income areas for housing rehabilitation, public facilities improvements, and neighborhood clean-up. The remaining 20% were used city-wide to assist households at or below 80% of the area median income through housing rehabilitation, housing reconstruction, and neighborhood clean-up.

The City of Texas City focused primarily on the targeted areas in the Greater Chelsea Manor and the

1867 Historic Settlement District. Each target area has a high percentage of low- to moderate-income homeowners according to the Low and Moderate-Income Area Data Map.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City of Texas City leveraged \$200,000.00 in ARPA funds to complete Housing Rehabilitation projects for PY 2023, and expended \$129,726.28 and has allocated all ARPA funds. For PY 2023 there were no matching requirements for 2 CDBG or other funds sources. The City was able to leverage private funds to pay for the Rehabilitation Specialist/Inspector services for the Housing Rehabilitation and Reconstruction Program.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	30	12
Number of Special-Needs households to be provided affordable housing units	0	0
Total	30	12

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	20	12
Number of households supported through Acquisition of Existing Units	10	0
Total	30	12

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The PY 23 Action Plan goal was to assist 20 households through the rehabilitation of their existing home. 15 homes were identified, however, only 12 were approved and completed for PY 2023. The Housing Rehabilitation Program has encountered issues with contractors' ability to meet the City's insurance requirements. The City has promoted opportunities, via its website and flyers, for new contractors to register and bid for jobs in their realm of expertise.

The First Time Home Buyer program experienced issues with affordability. Potential homeowners were not able to qualify for mortgages on their own disqualifying them from applying to the program. Another issue that deterred potential homeowners was the ability to qualify for the desired loan amount due to the interest rates being exceptionally high at that time. PY '23 had over 15 applicants and only 2 that prequalified for the program.

Discuss how these outcomes will impact future annual action plans.

This is the final CAPER for the current Con Plan. However, outcomes may impact future annual actions through the First Time Homebuyer Program, as interest rates have yet to retreat. Allocation for the FTHB program will be reduced. Future action plans are likely to include funds to begin revitalization/transformation efforts for each of the target areas, increased funding for housing rehabilitation to preserve the housing stock, and neighborhood beautification projects.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	5	0
Low-income	2	0
Moderate-income	5	0
Total	12	0

Table 7 – Number of Households Served

Narrative Information

The City of Texas City has prioritized housing rehabilitation and reconstruction assistance for low to moderate-income households. This decision reflects the City's commitment to improving the living conditions of its most vulnerable residents. The need for safe and habitable housing is a fundamental concern, particularly for those who may not have the financial means to make necessary repairs or undertake extensive reconstruction projects on their own

The City of Texas City has identified the need for housing rehabilitation and reconstruction assistance to be provided to low to moderate-income households as a primary focus. By focusing on this group, the City ensures that limited resources are directed toward those who are most in need of financial assistance for housing improvements. The majority of applicants are those in financial need or elderly and/or disabled. Despite the clear need for these programs, the City of Texas City does not receive HOME funds, which are federal grants provided by the U.S. Department of Housing and Urban Development (HUD) specifically for affordable housing initiatives. The absence of these funds means that the City must rely on alternative funding sources to support its housing programs. The need greatly outweighs the available financial resources.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Mayor's Taskforce on Homelessness hosts an annual event, in conjunction with the Community Development Department, to connect with both sheltered and unsheltered homeless populations. The City collaborates with nonprofit organizations and social service agencies within both the city and county to refer identified individuals.

City staff from Texas City are active members of the Galveston County Gulf Coast Homeless Coalition, which participates in the Point in Time Count led by the Texas Homeless Network and the Galveston County Gulf Coast Homeless Coalition. Additionally, this coalition, comprising local government, nonprofit agencies, and other organizations, meets monthly to identify needs and gaps. This includes establishing cross-referrals to address housing, health, mental health, social services, employment, education, and youth services for the homeless and those experiencing homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City currently lacks the resources to address the emergency shelter, rapid rehousing, or transitional housing needs of homeless individuals directly. However, it will continue to make referrals to local agencies that provide these essential services. City of Texas City Community Development Department staff now attend THN's annual conference on Ending Homelessness to develop further strategies to connect with this marginalized population.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

In PY' 2023, the Texas City Housing Authority offered its residents information on the home buying processes, including a 6-week guided course on money management, income, expenses, and credit. It is unknown how many residents accepted the information provided.

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Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The Mayor's Task Force on Homelessness continues to collaborate with the Galveston County Gulf Coast Homeless Coalition and Texas Homeless Network to identify the best resources, promote program awareness, and build new partnerships with local stakeholders. This creates a network of agencies to which homeless clients can be referred when services are needed. The City also refers the homeless population to other services from local agencies and is actively looking for opportunities (programs and other grants) to assist them.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Texas City Housing Authority (TCHA) has not requested any assistance from the City.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The City of Texas City continues to provide down payment assistance and closing cost assistance to promote homeownership.

The Texas City Housing Authority referred one resident to the Texas City First Time Homebuyer Program.

Actions taken to provide assistance to troubled PHAs

TCHA is not considered to be a troubled PHA.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City, with the assistance of the City Attorney, will continue to evaluate current policy as well as the development of future programs aimed at increasing the supply of, revitalizing, and rehabilitation of existing affordable housing.

The City completed the Analysis of Impediments to Fair Housing that began in July 2023. The AI's purpose was to identify barriers, educate and bring awareness to residents about their fair housing rights, serve as a formal record of the City's efforts to eliminate fair housing issues, increase opportunities for affordable housing maintenance and development, and recommend appropriate action to overcome the effects of the identified impediments. The City's 2024 Analysis of Impediments (AI) produces seven (7) findings related to fair housing in Texas City. The seven (7) impediments are: 1. Discrimination in Housing, 2. Lack of knowledge about fair housing, 3. Lack of temporary and/or transitional housing, 4. Lack of income/funding, 5. Lack of housing affordability and options in housing unit versatility, 6. Lack of fair housing resources and affordable housing services, 7. Lack of revitalization and preservation for historic communities. Using the consultant's recommendations, the City has initiated remediating the impediments by promoting fair housing resources to residents who may have experienced housing discrimination, increasing opportunities to assist people at risk for homelessness, unhoused persons, and persons impacted by natural or environmental disasters, preserving and rehabilitating the City's existing affordable housing stock, and providing downpayment assistance to low to moderate-income households.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City continues to work alongside its numerous partners, including local nonprofits, the Texas City Housing Authority, and the Gulf Coast Homeless Coalition to address the obstacles that underserved populations face. The Mayor's Taskforce on Homelessness developed a referral system with local nonprofits to ensure client's needs are met. The Taskforce hosts a Navigation Day for both sheltered and unsheltered residents of Texas City. Navigation Day brings a multitude of local resources to a single location, allowing residents to inquire about and receive direct services that may have previously been difficult to access.

The Community Development Department offers in-office appointments to residents requesting assistance with CDBG program applications as well as meetings at a public facility closest to the residents. Many of the applicants seeking assistance are elderly and/or disabled.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

CDBG-funded rehabilitation projects follow HUD's lead-based paint requirements. All pre-1978 dwellings are required to be tested for lead through a lead-based paint test or lead-based risk assessment. The City of Texas City Community Development Department staff continue to review and reference HUD's on-demand training and resources regarding lead-based requirements such as Lead Safe Housing Rule Kit, and other HUD Assisted Housing Videos. The City also applied for, and received, private grant funds to cover the costs of lead-based paint testing.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Community Development has decided to end the youth summer internship program, which had been offering two students the chance to gain essential work experience and earn a \$4,000 scholarship upon completion. This program aimed to equip students with the necessary skills to secure a decent salary, thereby helping their families rise above poverty level. The initiative was not only about the immediate financial benefits but also about empowering students with long-term career prospects and financial stability for their households.

The City's Municipal Court played a critical role in alleviating poverty by canceling active warrants for both unsheltered and sheltered residents during the City's Navigation Day 2023. By removing these outstanding warrants, many residents who were previously hindered by their legal status became eligible to secure housing and employment.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

City staff continues to attend various trainings and webinars in order to continue improving and expanding community development programs. Community Development and Grants Administration has increased collaboration between other City departments and organizations to make more strategic funding decisions. Each year stakeholders, residents, and City departments are invited to participate in community meetings for each of the City's target areas. In addition, as part of the Annual Action Plan development process, the Community Development Department presents at the City Commission meeting where the public and Commission are informed of Community Development activities and their respective program requirements.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

To boost coordination between public and private housing and social agencies Community Development Department staff attend meetings hosted by the City's public library with local non-profit and social service agencies such as:

1. Recovery-Oriented Systems of Care
2. Gulf Coast Center- Coordinated entry & Supportive Housing
3. Catholic Charities

4. The Baby Stewart Foundation
5. United Way Mainland
6. Salvation Army
7. St. Vincents House
8. Endeavors
9. Galveston County Health District
10. Texas City Independent School District
11. St Johns United Methodist Church

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

As mentioned in an earlier section, the City of Texas City 2024 Analysis of Impediments on Fair Housing revealed:

1. Discrimination in Housing
2. Lack of Knowledge about Fair Housing
3. Lack of Temporary and/or Transitional Housing
4. Lack of Income/Lack of Funding
5. Lack of Housing Affordability and Options in Housing Unit Versatility
6. Lack of Fair Housing Resources and Affordable Housing Services
7. Lack of Revitalization and Preservation for Historic Communities

To address these impediments, the City of Texas city implements a multifaceted approach throughout the year. The City has dedicated itself to proactive community engagement measures to address discrimination in housing through community and City-sponsored events. Through these events, published communication, and discussions, the City educates and determines the public's knowledge about fair housing. Additionally, engaged residents receive information about how to recognize and report housing discrimination.

The City of Texas City recognizes and proclaims April as Fair Housing Month and promotes fair housing information and initiatives during this time.

A Fair Housing Administrator has been appointed by the Mayor to receive and process fair housing complaints from Texas City residents. The City also is positioned to prosecute viable complaints in its Municipal Court.

The Community Development Department plays a vital role in educating Texas City residents about the 1968 Fair Housing Act by providing annual training opportunities and educational resources, such as posters and brochures, to sub-recipients, housing providers, financial institutions, community stakeholders, nonprofit, and for-profit organizations. These resources help address the lack of knowledge about fair housing and provide crucial information about fair and affordable housing services.

The Community Development Department additionally aims to combat discrimination in lending to support access to housing affordability options. The department collects and analyzes HMDA data to identify trends in housing discrimination that are prevalent in Texas City and Galveston County. To

address any discovered trends, a working group of financial institutions and community partners has been formed to educate residents and lending institutions about fair housing in lending practices.

Lastly, The City of Texas City also aims to connect residents to supportive services that assist with home repair and downpayment assistance. The Community Development Department hosts community fairs and events with educational booths to connect residents to programs and services. Additionally, partnerships with financial institutions and the real estate industry are established to gather resources and promote homeownership programs. To support the housing stock, the City engages community leaders to determine how to assist homeowners with home repair services. Moreover, the Community Development Department works with builders to rehabilitate neighborhoods with vacant units and engages residents, civic clubs, and HOAs to determine desired housing types and neighborhood revitalization initiatives.

Through these comprehensive efforts, the City of Texas City strives to address all identified impediments, ensuring fair and equitable housing opportunities for all residents.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City of Texas City monitors CDBG funded activities throughout the administrative and planning process to ensure compliance with regulatory requirements, identify community needs and program challenges, and assess the effectiveness of funded activities. This process has allowed the City to be proactive in addressing any potential threats to program success and mitigate any risks. The City ensures HUD funds are used lawfully in conformity with all applicable regulations. The City of Texas City is dedicated to its compliance obligations and concentrates enforcement efforts on any cases presenting significant threats to program success.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City of Texas City published a public notice in the local newspaper, The Galveston Daily News to inform all citizens of the CAPER, regarding its contents and its availability for viewing and comments in English and Spanish. The Public Notice was posted before the release of the CAPER with a 15-day comment period. Publication for the CAPER ran January 30, 2025, and February 2, 2025, the comment period began January 31, 2025, and ends February 17, 2025. The public hearing is set to take place at 5:00 p.m. on February 19, 2025, at Texas City Hall located at 1801 9th Ave North, Texas City, TX 77591. Additionally, notification of the comment period is posted on the City's website and social media page with the link provided and instruction on how to leave a comment. Copies of the CAPER will be available Moore Memorial Public Library and City Hall Annex.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City of Texas City has remained dedicated to consistently improving its programs, utilizing lessons from past program years and funding cycles. The department has focused on expending funds in a timely manner by modifying allocation to programs with little to no results. However, the largest accomplishments are captured through housing preservation.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

The City of Texas City does not have any open Brownfields Economic Development Initiative Grants.

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

N/A

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

Total Labor Hours	CDBG	HOME	ESG	HOPWA	HTF
Total Number of Activities	0	0	0	0	0
Total Labor Hours	0				
Total Section 3 Worker Hours	0				
Total Targeted Section 3 Worker Hours	0				

Table 8 – Total Labor Hours

Qualitative Efforts - Number of Activities by Program	CDBG	HOME	ESG	HOPWA	HTF
Outreach efforts to generate job applicants who are Public Housing Targeted Workers					
Outreach efforts to generate job applicants who are Other Funding Targeted Workers.					
Direct, on-the job training (including apprenticeships).					
Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.					
Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).					
Outreach efforts to identify and secure bids from Section 3 business concerns.					
Technical assistance to help Section 3 business concerns understand and bid on contracts.					
Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns.					
Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services.					
Held one or more job fairs.					
Provided or connected residents with supportive services that can provide direct services or referrals.					
Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.					
Assisted residents with finding child care.					
Assisted residents to apply for, or attend community college or a four year educational institution.					
Assisted residents to apply for, or attend vocational/technical training.					
Assisted residents to obtain financial literacy training and/or coaching.					
Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.					
Provided or connected residents with training on computer use or online technologies.					
Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses.					
Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.					

Other.					
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Table 9 – Qualitative Efforts - Number of Activities by Program

Narrative

There were no activities completed during PY 23 that applied to Section 3.

RESOLUTION NO. 2025-022

A RESOLUTION APPROVING THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER), FOR THE CITY'S CDBG ACTIVITIES FOR PROJECT YEAR 2023, TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City is required to submit annually by December 30, 2024, a CAPER to HUD that describes the City's progress in meeting the goals in the Five-year Consolidated Plan; and

WHEREAS, it is recommended by the Director of Community Development & Grants Administration that the Fiscal Year - 2023 CAPER be submitted to HUD.

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

SECTION 1: That the City Commission of the City of Texas City hereby authorizes the submission of this document (CAPER) to be approved in compliance with HUD regulations.

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

PASSED AND ADOPTED this 19th day of February 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) (a)

Meeting Date: 02/19/2025

Consider and take action on second reading of Ordinance No. 2025-04 to amend Sign Ordinance to add Kiosk Signs

Submitted For: Kim Golden, Transportation and Planning

Submitted By: Curt Kelly, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST

Amend Texas City Code of Ordinances Section 155 to add Kiosk Signs as an Allowable Sign.

BACKGROUND (Brief Summary)

Homebuilders need an attractive, reliable and efficient method to guide potential homebuyers to subdivisions in development. The use of temporary “bandit signs” in the public rights of way is not an attractive or efficient method and is prohibited by the existing Texas City sign ordinance because the unregulated use of bandit signs can be unsightly and detrimental to the aesthetics of the community.

Kiosk sign plazas are an industry practice which provides the wayfinding and advertisement needed by homebuilders and homebuyers to find subdivisions in development in a manner that is attractive, reliable and efficient. The sign plazas are approved by the City as to form, format and location and perpetually managed and maintained by others **without cost to the City**.

The kiosk sign plazas are used in the following cities around Texas City: Alvin, Bryan/College Station, Conroe, Dickinson, League City and Pearland.

RECOMMENDATION

Staff recommends approval of the amendment to add kiosk signs as an Allowable Sign under the Texas City Off Premises Sign Ordinance.

Fiscal Impact

Attachments

ORD 2025-XX - Amending Sign Ordinance Sec155 - Kiosk Signs
National Sign Plazas

ORDINANCE NO. 2025-____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, OF THE CITY OF TEXAS CITY, TEXAS, TITLE XV – LAND USE, CHAPTER 155, “SIGNS”, REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; DISPENSING WITH THE CHARTER REQUIREMENT FOR READING THIS ORDINANCE ON THREE (3) SEPARATE DAYS; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, there is a need to amend The Code of Ordinances of the City of Texas City, Texas, Title XV – LAND USE, Chapter 155 – Signs to make provision for the use of kiosk signs in the City of Texas City, and

WHEREAS, homebuilders and others have need for wayfinding and other signs to guide homebuyers to their new developments.

WHEREAS, the use of “bandit signs” in the rights of way by homebuilders is not compliant with the city sign ordinance and has the potential to be unsightly and distracting.

WHEREAS, the use of a kiosk sign plaza program is a common industry practice which is satisfactory to homebuilders and meets the need to guide potential homebuyers to new developments in an attractive, efficient and consistent manner with minimum burden upon city resources, and

WHEREAS, the City Commission determines that amending the Code of Ordinances of the City of Texas City, Texas, Title XV – Land Use, Chapter 155 – Signs, to make provision for the use of kiosk sign plazas will promote the health, safety, morals, and general welfare of the City and the safe, orderly, and healthful development of the City;

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

Section 1. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Commission hereby further finds and determines that the rules, regulations, terms, conditions, provisions, and requirements of this ordinance are reasonable and necessary to promote health, safety, morals, or general welfare and the safe, orderly, and healthful development of the municipality.

Section 2. The City of Texas City’s Code of Ordinances, Section 155 SIGNS is hereby amended to add Section 155.071 Kiosk Signs as follows:

§ 155.071 Kiosk Signs: The City of Texas City, by duly executed license agreement, shall grant the exclusive right to design, erect, and maintain kiosk signs within the City of Texas City.

- a) Kiosk signs must be designed and constructed according to specifications approved by the Chief Building Official in accordance with applicable codes.
- b) Prior to erecting any kiosk sign, the licensee shall submit a sign location map to the City for approval.
- c) Kiosk signs shall include breakaway design features as required for traffic signs in the street rights-of-way.
- d) Price information is prohibited on kiosk signs.
- e) No signs, pennants, flags, or other devices for visual attention of other appurtenances shall be attached to kiosk signs.
- f) Kiosk signs shall not be illuminated.
- g) Individual sign panels on kiosk signs shall have a uniform design and color.
- h) Kiosk signs shall not interfere with the use of sidewalks, walkways, bike trails, or hiking trails; shall not obstruct the visibility of motorist, pedestrians, or traffic control signs; shall not be installed in the immediate vicinity of street intersections and shall comply with the any visibility triangle as dictated by the City of Waxahachie.
- i) No kiosk sign plaza or sign panel shall be installed within the right-of-way of a state highway without written authorization from the Texas Department of Transportation.
- j) All kiosk signs shall be maintained in like-new condition and shall be free of grass and weeds in surrounding vicinity.
- k) The agreed upon license shall be consistent and comply with this Ordinance.

Section 3. This ordinance shall be cumulative of all provisions of the City of Texas City, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section 4. It is hereby declared to be the intention of the City Commission of the City of Texas City, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. All rights and privileges of the City of Texas City, Texas, are expressly saved as to any and all violations of the provisions of any Ordinances affecting land use or development, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 6. This Ordinance shall be effective immediately upon the passage, approval and publication as required by law.

PASSED ON FIRST READING this 5th day of February 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

PASSED ON SECOND READING this 19th day of February 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

PASSED ON FINALLY ADOPTED this 5th day of March 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



NATIONAL SIGN PLAZAS

Cleaner Streets in High-Growth, Pro-Growth Communities

How to rein in chaotic
temporary signage without
alienating your home builders



Cleaner Streets in High-Growth, Pro-Growth Cities

A high-growth, pro-growth city is an inviting place to live – as long as growth is managed. Few things signal a lack of management to potential residents like rights-of-way cluttered with temporary home builder signage.

Rogue or snipe signs can really clutter your streets, especially in a housing boom. Left unchecked, these signs create a broken window effect on your streets and deter home shoppers from buying in your community.

There's a catch though...

More than 50% of traffic to new home communities comes from directional signs. Not digital ads. Not social media. Physical signage!

The NSP Homebuilder Directional Sign Program is a fully-managed no-cost solution that helps cities and counties rein in chaotic home builder signage without alienating the builders upon whom your economy relies.

- Generate revenue for your community – at no cost to you.
- Welcome visitors with signage bearing your civic brand.
- Simplify enforcement of temporary signage codes.

In this paper, we'll explore the challenges of unchecked temporary signage and the benefits of uniform signage programs like the NSP Homebuilder Directional Sign Program.





Cleaner Streets in High-Growth, Pro-Growth Cities

Codes and Clutter: The Cost of Rogue Signs

Did you know that the City of Houston spends \$282,000 annually removing illegal signs?

The city's three-person sign removal crew eliminates 30,000 signs annually. Additionally, Harris County has deputized 246 volunteer "sign rangers" who educate local businesses and (when necessary) enforce sign codes in unincorporated areas.

Texas state lawmakers are considering increasing penalties for repeat offenders to make hanging illegal signs hurt to the point it isn't worth it.

Now, these numbers reflect the cost of managing all kinds of rogue signs (not just builder signs) but they speak to the broader expense of sign code enforcement.

Uniform signage programs transform sign management costs with a new revenue source thanks to administration fees paid by builders for placement on attractive sign plazas.

Over the last five years, NSP has remitted more than \$2.5 million to cities and counties. Those funds have been reinvested in code enforcement, wayfinding systems, parks and recreation signage, and other programs.

** Houston Chronicle, "Illegal signs cost Houston \$300K yearly. 'Sign rangers,' new legislation are fighting back", March 20, 2023.*

Case Study » Waxahatchie, Texas

Population growth: 22,000 in 2000; 48,000 in 2023

As its population doubled in just 20 years due to Dallas-Fort Worth's expansion, the City of Waxahatchie faced a problem – chaotic and unsightly homebuilder signs.

Today, the NSP Homebuilder Directional Sign Program mitigates Waxahatchie's rogue signage challenge. It also supports the city's new wayfinding and placemaking system that captures I-35 traffic and directs it toward points of interest in the city.

Waxahatchie city manager Michael Scott called our program: "A unique sign solution to the growing problem of homebuilder 'snipe' signs."





Cleaner Streets in High-Growth, Pro-Growth Cities

Win-Win Solution: Partnering with Home Builders

More than 50% of home shoppers follow directional signs to a new community. That's right. Less than half come from online or print advertising.

Why? Because people don't shop for the right home builder brand. They don't say, "I really want an ABC Home." Instead, people shop for the right community. They say, "I want to live in this City" and then they browse.

That's not to say that digital marketing serves no purpose. It's a key brand awareness channel. It just requires directional signage to connect brand awareness efforts to direct response (i.e. foot traffic) in the physical environment.

Uniform sign plazas support your builders' marketing efforts, aid potential residents in browsing your community, and protect your streets from clutter.

"It's an excellent win-win solution," said Peter Schwartz, CEO of the Home Builders Association of Greater Chicago. "The benefits of the NSP program to homebuilders and municipalities alike are numerous."



Case Study » Walton County, Georgia

Population growth: 61,000 in 2000; 101,000 in 2023

New home construction is back in Walton County ... and so is the NSP Homebuilder Directional Sign Program.

During its last housing boom, Walton County adopted our program to curb temporary home builder signs. When the county's growth leveled off in the 2010s, we removed our sign plazas.

With construction back on the rise, we've installed 21 new sign plazas to help the county to rein in unsightly temporary signage.

Walton joins Cherokee, Douglas, and Cobb counties and numerous municipalities as adoptees of our program in metro Atlanta.



Cleaner Streets in High-Growth, Pro-Growth Cities

Civic Branding: Showcasing Your Community

As stated above, people don't shop for home builder brands. They shop for communities. They select your community for its schools, career opportunities, civic amenities, etc., and then follow directional signage to new home developments in the area.

And, yet, the vast majority of directional signage focuses on the builder's brand and offers – and largely ignores the civic brand.

Uniform sign plazas flip the script by showcasing the civic brand through visual plaza toppers first and then assisting traffic in navigating the environment.

Whereas temporary directional signs focus on the home builder brand, uniform sign plazas focus on the community.

"This has been one of those rare opportunities where our City has taken a risk in order to solve an ongoing problem and has pleased everyone in the process," said Jim Bechtol, Community Development Director for the City of Leander, Texas.

Future Residents: Supporting Home Shoppers

For home shoppers, visiting a new residential development is a sociological activity largely made up of impromptu decisions. Remember, the home buying process typically begins with semi-passive browsing of developments based on a desire to live in your city.

Cluttered street corners create a broken window effect on your streets and deter home shoppers from further exploration of your community.

What's even worse? Getting lost!

In especially high-growth areas, many roads are so new that they don't yet appear in Google Maps and other GPS navigation systems.

Directional signage prevents shoppers from getting lost, giving up, and taking their wallets with them.



Case Study » Queen Creek, Arizona

Population growth: 3,800 in 2000; 79,000 in 2023

In 2022, the Town of Queen Creek grew faster than any other municipality in Arizona – continuing a boom dating back to the early 2000s.

That growth led to both unsightly temporary home builder signs and a new roadway that diverted traffic away from Queen Creek's historic downtown.

Today, NSP's sign plazas declutter the town's streets while also tying into and funding a new wayfinding and placemaking system that helps visitors locate downtown businesses.



NATIONAL SIGN PLAZAS

“It’s an excellent win-win situation.”

- Peter Schwartz, CEO, Home Builders Association of Greater Chicago

Temporary rogue signage can really clutter your streets – especially in a housing boom.

Since 1997, National Sign Plazas has rescued high-growth pro-growth cities nationwide from the blight of temporary home builder signage by coordinating residential development systems that communicate the developer’s sales message while unifying visual civic branding.

The NSP Homebuilder Directional Sign Program is a fully-managed no-cost solution that protects your streets from chaotic weekend and offsite home builder signage – without alienating the builders upon whom your economy relies.

- Rein in chaotic signage without alienating builders.
- Generate revenue for your community – at no cost to you.
- Welcome visitors with signage bearing your civic brand.
- Simplify enforcement of temporary signage codes.

Endorsed by the residential development community, our program is designed as an added value to your city’s community development goals, allowing your city to build revenue for investment in other beautification efforts such as public art, landscaping, and wayfinding.

No wonder Waxahachie city manager Michael Scott called our program: “A unique sign solution to the growing problem of homebuilder ‘snipe’ signs.”



Learn more at www.nsp.biz or call (888) 982-1234.

CITY COMMISSION REGULAR MTG

(8) (b)

Meeting Date: 02/19/2025

Consider and take action on the first reading of Ordinance 2025-06, amending the Texas City Code of Ordinances by Creating Chapter 162 Entitled "Battery Energy Storage Systems" and Amending Title XV entitled "Land Usage", Chapter 160 entitled "Zoning" and providing for publication and an effective date

Submitted For: Kim Golden, Transportation and Planning

Submitted By: Curt Kelly, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST

Consider and take action on the first reading of Ordinance 2025-06, amending the Texas City Code of Ordinances by creating Chapter 162 entitled "Battery Energy Storage Systems" and amending the Code of Ordinances Title XV entitled "Land Usage", Chapter 160 entitled "Zoning" to designate Section 160.051 District S-P (Site Plan) as the zoning designation for Battery Energy Storage Systems and similar projects.

BACKGROUND (Brief Summary)

Battery Electrical Storage Systems (BESS) are installations of large containers of batteries which are usually located close to an electrical power substation. The batteries charge during periods of low demand and then supplement the electric grid during periods of high demand. Locations close to an existing substation are essential for most of the projects.

Texas City has two existing BESS installations at 505 34th Ave N and 430 SH 146 N, and a two approved sites on SH 146 (410 Hwy 146 N and 701 SH 146). All four locations are south of Palmer Hwy and in or near areas of existing industrial uses. In 2020 and 2021 respectively, these installations were found most comparable to the District F-1 Outdoor Industrial zoning classification. Since 2022 and 2023 the applications have been processed for rezoning to District S-P as specific uses which are not normally found in zoning districts. Numerous pre-development inquiries have been received for sites located in various other zoning districts throughout the city, including several in close proximity to existing residential uses or zoning districts. Some of the proposed projects include energy generation as a component of the projects.

During reviews of the various applications and presentations to the Planning Board and Zoning Commission, concerns have been expressed regarding risk of battery fire, contamination from site runoff, contamination of air and water byproducts of fire suppression in the event of catastrophic failure, and the ultimate cost of decommissioning. The BESS installations are characterized by their developers as temporary installations. The review procedures of the District SP - Site Plan process were found to be the most thorough for evaluating the proposed projects in the various locations and zoning districts when presented. To provide for consistency and uniformity of review, the Zoning Commission is recommending District SP as the exclusive zoning classification for the BESS and similar projects.

Staff are also recommending the adoption of Chapter 162 Battery Energy Storage Systems to establish criteria for review of applications as well as requirements and limitations for

screening, setbacks, landscaping, maximum impervious area, and other provisions etc. Adoption of Chapter 162 will provide guidance for potential applicants and developers and assist the Planning Board members, Zoning Commissioners and staff with standards for the consistent administration and application of the zoning and land use regulations to BESS and similar projects.

RECOMMENDATION

Staff recommend approval of Ordinance 2025-06 to create Chapter 162 entitled "Battery Energy Storage Systems" and to amend the Zoning Ordinance Section 160.051 to designate District S-P Site Plan as the zoning district for Battery Energy Storage Systems and similar projects.

The Texas City Fire Marshal, Emergency Manager, Chief Building Official and City Attorney have assisted with the drafting and review of Chapter 162 Battery Energy Storage Systems and offer no objection to its adoption.

Fiscal Impact

Attachments

Ord 2025-__ - BESS - final draft 2.3.2025

Staff Report

Map

ORDINANCE NO. 2025-_____

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS, AMENDING THE TEXAS CITY CODE OF ORDINANCES BY CREATING CHAPTER 162 ENTITLED “BATTERY ENERGY STORAGE SYSTEMS” AND AMENDING THE CODE OF ORDINANCES TITLE XV ENTITLED “LAND USAGE”, CHAPTER 160 ENTITLED “ZONING” AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, the City of Texas City, Texas, is authorized to regulate ordinances pursuant to the Texas Local Government Code;

WHEREAS, the City Commission of the city of Texas City, Texas, needs to amend the Texas City Code of Ordinance Title XV Entitled “Land Usage,” to CREATE Chapter 162 entitled “Battery Energy Storage Systems” and to AMEND Chapter 160 – Zoning to add Battery Energy Storage Systems (BESS) and similar uses as a Use restricted to the District S-P Site Plan zoning classification;;

WHEREAS, pursuant to TEX. LOCAL GOV'T. CODE § 211.001 *et seq.*, the city of Texas City, Texas, is authorized to adopt zoning regulations for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the City’s Planning Board and Zoning Commission have reviewed and recommended the adoption of this ordinance at meetings held on _____; and

WHEREAS, the City Commission determines that creating Title XV, Chapter 162 entitled “Battery Energy Storage Systems” and amending Title XV, Chapter 160, “Zoning” to restrict Battery Energy Storage Systems and similar uses to the District S-P Site Plan zoning classification will promote the health, safety and welfare of the City;

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

Section 1. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Commission hereby further finds and determines that this ordinance's rules, regulations, terms, conditions, provisions, and requirements are reasonable and necessary to protect public health, safety, and quality of life.

Section 2. That City of Texas City’s Code of Ordinances Chapter 162 – Entitled “ Battery Energy Storage Systems” is hereby created and established in Title XV Land Usage as indicated in Exhibit A, which is attached and incorporated into this ordinance.

Section 3. The City of Texas City’s Code of Ordinances, Chapter 160 - Entitled “Zoning,” Sec. 160.051. District S-P, Site Plan is amended to add the following:

Sec. 160.051 District S-P, Site Plan

(C) Uses.

(1) Uses and reasons for classification. The following uses are included under District S-P due to the following reasons:

(b) Uses restricted to District S-P

(14) Battery energy storage systems (BESS) and similar projects.

a. Basic zoning district most closely comparable to this requested principal use is District F – Light Industrial. However, due to the unique characteristics of these projects, potential hazards, environmental concerns, and long-term impacts, the site-specific review required for District SP is warranted and required in all districts, including District F. Planning Board and Zoning Commission and City Commission shall each have broad discretion to consider any and all aspects of the development and its intended use and operation in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare; to protect and conserve the value of land and buildings in the area; and, to minimize conflicts among the uses of land and buildings.

b. Location in, near, or adjacent to existing residential uses or districts is not favored and shall be avoided.

c. BESS projects shall be located at least one half mile from any existing or planned use for vulnerable populations such as schools, daycare centers, assisted living and nursing homes, hospitals, elderly or supportive housing.

d. Site Plans shall comply with the requirements of Chapter 162 Battery Energy Storage Systems.

Section 4. This ordinance shall be cumulative of all provisions of the City of Texas City, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section 5. It is hereby declared to be the intention of the City Commission of the City of Texas City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. All rights and privileges of the City of Texas City are expressly saved as to any and all violations of the provisions of any Ordinances affecting land use or development, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. That this Ordinance shall be read on three (3) separate days and shall become effective upon its final reading, passage, and adoption.

Section 8. That this Ordinance shall be finally passed upon the date of its introduction and shall become effective from and after its passage and adoption and publication by caption only in the official newspaper of the City of Texas City, Texas.

PASSED ON FIRST READING this ____ day of February 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED ON SECOND READING this ____ day of March 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED AND FINALLY ADOPTED this ____ day of March 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

APPROVED AS TO FORM:

Kyle L. Dickson
City Attorney

Exhibit A to Ordinance 2025-____
Texas City Code of Ordinances
Title XV Land Usage
Chapter 162 Battery Energy Storage Systems

Battery Energy Storage Systems

a. Purpose. The purpose of this Chapter is to establish regulations for Battery Energy Storage System (BESS) and similar project sites with the following objectives:

1. Ensure the health, safety, and welfare of the community.
2. Provide a regulatory scheme for the designation of properties suitable for the location, construction, and operation of BESS sites.
3. Mitigate any negative impacts of BESS sites.
4. Provide regulations for current and existing BESS sites.

b. Definitions.

1. **Battery Energy Storage System (BESS)** means one or more devices (i.e. group of batteries), assembled together capable of storing energy in order to supply electrical energy at a future time. BESS facilities receive electricity from the electrical grid when there is excess electrical power, store it in a series of batteries and then return it to the grid when additional electricity is needed during high demand.

2. **Battery Analytics Software** means a cloud-based software solution using energy storage system (ESS) raw data collected by the Battery Management System (BMS) and applies physics-based algorithms to offer immediate and predictive detection, (on the order of weeks and months), of thermal runaway and its associated root causes.

3 **Similar projects** means data centers and similar high energy demand installations which may or may not return energy to the grid. Applicability of this Chapter shall be determined by the Director of Engineering & Planning at the time of application.

c. *Use Classification*

1. BESS facilities and similar uses shall be restricted to locations zoned in accordance with Chapter 160 – “Zoning,” Sec. 160.051, District S-P – Site Plan.
2. Installations shall be unmanned – to avoid the mixing of incompatible uses onsite office or shop facilities shall be prohibited. This prohibition is not intended to limit the occasional intermittent temporary access by personnel with knowledge and training about the hazards as necessary for the maintenance of the installations.

d. *BESS Development Plan Application Requirements.*

1. *Application Fee:* A \$5,000 fee is due at time of application submittal in addition to any other fees for zoning change, platting, building permits, or certificates of occupancy.
2. *BESS Development Plan requirements.* An application for a BESS site shall be submitted to the Engineering & Planning Department in the form of a BESS Development Plan. The regulations required for a BESS Development Plan are in addition to and are not in lieu of, permits required by any other provision of the Texas City Code of Ordinances or other governmental agency.
 - a. The BESS Development Plan application for a BESS site shall include the following information:
 1. Site Plan indicating the distance between battery containers and distance from all adjacent property lines and structures.
 2. Landscaping and Screening Plan
 3. Elevations and Renderings/Illustrations
 4. Hazard Mitigation Analysis
 5. Plume Study
 6. Fire Management Plan
 7. Reimbursement Agreement for the payment of the City’s third party expert and deposit in amount determined by the Director of Engineering & Planning.
 8. Applicants shall provide current contact information, operation experience, and record of fire incidents together for each of the following: the developer/operator, equipment manufacturer, Engineer, system operator, insurance, and on-site operations and maintenance.
 9. Such other information as the City deems reasonably necessary to administer this Chapter.

e. *Site Reviews and Inspections*

1. The City will contract with a 3rd party expert to review all BESS sites for compliance with applicable life/safety requirements. The 3rd party expert shall provide the following deliverables for each site:
 - a. General Safety Analysis of the proposed site.
 - b. Review to confirm compliance with IFC and NFPA regulations.
 - c. Review of building permit.
 - d. Inspections are conducted during construction, and a final inspection is performed prior to operations commencing.
 - e. Any other matters requested by the City.
2. The Applicant proposing the BESS site shall execute a reimbursement agreement with the City for all costs incurred by the third-party expert and provide a deposit in an amount determined by the Director of Engineering & Planning. The Applicant shall maintain a positive balance of funds on deposit for the reimbursement of the third-party expert fees. Any unexpended funds remaining on deposit six (6) months after the site receives an unconditional Certificate of Occupancy shall be refunded to the Applicant.
3. The City's Fire Marshal's office will be involved in all plan reviews, construction, and inspections to ensure compliance with Fire Department requirements.

f. Fire and life safety. BESS sites are required to meet, but are not limited to, the following fire codes and actions, as amended and updated:

1. 2024 IFC and the listed NFPA references within the IFC including any and all local amendments.
2. NFPA 855 (2023): Standard for the Installation of Stationary Energy Storage Systems. The most current version adopted by the City shall apply.
3. Provide an environmental site plan that includes a firefighting water containment plan.

4. There shall be an air monitoring system for vapor detection to the satisfaction of the Fire Chief and Fire Marshal.
5. Provide a water fire flow analysis at the permitting phase to ensure the existing water infrastructure can support the firefighting demands.
6. Provide the Fire Department with the equipment needed to monitor and test the air and water for any hazards at these sites during emergencies. All monitoring equipment shall be provided to the Fire Department by the BESS applicant to the satisfaction of the Fire Chief and Fire Marshal.
7. Provide annual training to the Fire Department and mutual aid agencies for hazards and responses related to BESS systems.
8. Furnish all necessary firefighting equipment, related to the proposed BESS site, to the City's Fire Department, ensuring it meets the approval of the Fire Marshal.
9. The fire command center and water supply should be situated at a safe distance from the closest BESS enclosure, based on deflagration data that indicates how far away is considered safe. The minimum distance should be 100 feet, as per NFPA requirements, unless approved otherwise by the Fire Marshal.
10. The fire service command center shall be sheltered from the weather and have an overhang to reduce glare on the command center and allow emergency personnel to work under and review all emergency response plans and information needed to bring the incident under control.
11. All BESS sites shall adhere to any additional requirements and/or safety items set forth by the most current version of NFPA and IFC, specifically addressing ESS sites if 25% or more batteries are replaced or added to the site/containers.
12. Any incidents that exceed a 12-hour working period shall require a third-party hazardous materials team to respond to help control/monitor them for the duration of the event.

13. The City's Public Works approved water meters shall be installed on-site to monitor how much water is used during emergency responses to BESS sites.
14. A documented plan if an exhaust fan fails to work during an emergency.

g. Emergency Response Plan. A copy of the approved Emergency Response Plan shall be given to the system owner, the Fire Department, mutual aid agencies, and the Emergency Management Department. The Emergency Response Plan shall be approved by the City prior to the BESS being installed on the site. The Emergency Response Plan shall at a minimum include the following:

1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
2. Procedures for inspection and testing of associated alarms, interlocks, and controls.
3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment.

6. Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
7. Other procedures as determined necessary by the Fire Chief and Fire Marshal to ensure the safety of occupants, neighboring properties, and emergency responders.
8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.
9. A mitigation plan indicating actions for post-event response and clean-up. Should an event occur, preventative action must be completed (with corrective action report) to prevent reoccurrence.
10. Provide a list of emergency contacts that shall be updated annually or when significant changes are made, whichever is earlier.
11. A documented plan for natural disasters and/or extreme environmental conditions such as high ambient temperatures and/or humidity, including how flooding or brackish water would affect the BESS devices if compromised and emergency procedures for mitigating the negative effects of such scenarios. How does the site ensure in the event of an emergency that the BESS site is not contaminating the ground or source water?

h. Setbacks and Location and Area Regulations

1. BESS Systems shall meet the minimum setback requirements established in their respective zoning district.
2. A BESS site shall be no closer than 1,500 feet perpendicular in any direction from another BESS site measured at the perimeter fence.

3. The setback requirement for a BESS site perimeter fence shall be the greater of either:
 - a. A minimum of 200 feet from the nearest property zoned for single-family uses or school; or
 - b. A setback distance required based on Plume modeling and testing data.
4. Additional setbacks may be considered based on proximity to underground pipelines, railroad tracks, and overhead utilities.
5. Increased setbacks may be recommended by the Planning Board or Zoning Commission to the City Commission on a case-by-case or site-by-site basis.
6. Spacing of on-site containers shall be a minimum of 15ft when submitted for the Development Plan approval and/or any zoning change. At the time of building permitting, on-site container spacing may be determined by a Hazard Mitigation Analysis relying on data produced by the UL 9540A Fire Testing required in Section 3.14.19.k.2. upon recommendation of the City's third party expert with the approval of the Fire Marshal and Chief Building Official.
7. All driveways, driving areas, and any area subject to vehicle movement shall be paved. Parking areas and laydown yards shall be paved as necessary to provide access, avoid rutting, and prevent noxious dust from affecting adjacent and nearby areas. Consideration shall be given to maintaining the quality and value of the area for future development of adjacent and nearby properties.
8. Containment of runoff shall be in accordance with state and local regulations and shall protect the public surface water supply and drainage system from the runoff of any contaminants into the water supply or drainage system.
9. Preference will be given to sites that are not adjacent to or within 300 feet of a roadway classified as an arterial or higher.

i. Landscaping and Screening. The BESS site shall comply with the following landscaping and screening requirements. Additional requirements may be imposed as a result of the SUP.

1. The BESS installations shall be fully screened from visibility on any and all gateway or thoroughfare and/or adjacent streets and shall have and maintain substantial landscaping of at least 15% or more as recommended by the Planning Board.
2. A masonry wall, at least the height of the containers, shall be installed around the perimeter of the facility. Where adjacent to surrounding communities, the screening wall shall match existing walls in style and material to the greatest extent possible.
3. The masonry wall shall be designed to withstand a blast door from a BESS container striking it.
4. A continuous hedge shall be installed adjacent to the masonry wall. Planning Board may consider the minimum landscaping requirement to be at least one large shrub capable of reaching a minimum height of four feet for each eight linear feet of required screening fence and one street tree for each 50 feet of required screening fence, provided that, not less than one street tree and three large shrubs are provided for each site. The Planning Board may apply a greater standard as it finds appropriate based on the location and characteristics of the particular site.
5. At least 50% of the site shall be pervious. All pervious areas shall be landscaped and maintained in accordance with Section 160.088 of this chapter. The Planning Board may recommend approval conditioned upon a site-specific higher standard.

j. Noise. If a BESS site is located within 500 feet of a property zoned for single-family use, a noise study shall be provided indicating that noise level shall not exceed an ambient level measured at the single-family property line.

k. Remote Monitoring. All BESS sites shall have a redundant 24/7 site monitoring system (approved supervising station) to detect and prevent thermal runaway. The system shall be subject to the following requirements:

1. The system shall have detectors for temperature, gases, and smoke installed.

2. System alerts and detection warnings of a potential thermal runaway, smoke detector activation, or gas detector activation shall be sent to local emergency services (Fire and Police Departments), site and remote operators, and owners.
3. Alerts and detections of a potential thermal runaway, smoke detector activation, or gas detector activation shall trigger BESS unit shutdown and exhaust fan initiation at a minimum.
4. All critical safety systems and remote monitoring systems shall have a secondary source of power in the event of a power failure.
5. A plan shall be provided showing the capability of providing battery backup power for as long as it takes for a permanent (generator) power source to be put in place. The company shall send its backup power plan to the Fire Marshal's office at time of permitting for review. The plan shall explain how they will sustain emergency backup power until normal power is restored, especially during a natural disaster.
6. For additional safety and redundancy of a commercial energy storage system (ESS) installation, a Battery Analytics software system shall be required to monitor the data produced by the Battery Management System (BMS). Indications of a potential failure shall be immediately transmitted to the energy storage system operator and to the fire department.

l. Listing and Testing of Site. The following standards are applicable to the listing and full-scale testing of stationary energy storage systems. The City may accept battery systems listed and tested to later editions of these standards when necessary to address evolving standards applicable to a rapidly developing technology.

1. Listing. All stationary energy storage systems shall be tested and listed by a nationally recognized testing laboratory to the following standards:
 - a. Underwriters Laboratories (UL) Standard 1741, entitled "Inverters, Converters, Controllers and Interconnection System Equipment for Use with Distributed Energy Resources;"

b. Underwriters Laboratories (UL) Standard 1973, entitled "Batteries for Use in Light Electric Rail (LER) Applications and Stationary Applications," and

c. Underwriters Laboratories (UL) Standard 9540, entitled "Energy Storage Systems and Equipment."

d. Underwriters Laboratories (UL) Standard 1642, entitled "Standard for Lithium Batteries."

2. Full-scale testing. Stationary energy storage systems shall be tested to Underwriters Laboratories (UL) Test Method 9540A, entitled "Safety Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems," or other approved standard or test data; and shall be subjected to a large- scale destructive fire test of a complete BESS.

m. Supervision of Site. A stationary energy storage system shall be operated and maintained under the general supervision of a technical expert held to the following standards:

1. Be trained and knowledgeable in the installation, maintenance, and operation of the battery system, such as a person engaged in the design or installation of such systems;
2. Possess the manufacturer's installation, specifications, ratings, listing, and operating specifications for each battery system and any associated fire protection systems;
3. Immediately report any emergency condition affecting a battery system to the Fire Department; and
4. Provide technical assistance about the stationary energy storage system installation to the Fire Department and, in coordination with the energy storage management system monitoring facility, identify a subject matter expert (such as a representative of the manufacturer) who can provide technical assistance

about the battery's design and performance in the event of an emergency condition affecting the battery system.

n. Event Response. If City employees respond to an incident at the site; the operator of the BESS site shall adhere to the following requirements:

1. A technical expert, as described in 3.14.19.1., must be on-site within one hour of any remote monitoring alert.
2. All City costs associated with the incident must be reimbursed at a rate specified by the City.
3. Any third-party response requested by the City or TCFD will be at the cost of the property owner. (Hazardous materials company, Specialized fire equipment, F-500 encapsulating agent, air monitoring, or other city assets).

o. Insurance. The operator of the BESS site shall provide and maintain, as current, a certificate of liability insurance in form and content satisfactory to the City Engineer and City Attorney. The City shall be named as an Additional Insured.

p. Flood Risks. BESS shall not be installed in a FEMA designated Special Flood Hazard Area or other site with known history of flooding or drainage issues.

q. Decommissioning.

1. Upon the ceasing of operations or the end of life of the facility, whichever comes first, the site shall be decommissioned based on the following criteria:
 - a. The owner shall notify the city, the Fire Chief, and the Fire Marshal before any work is started.
 - b. All above and below ground features (i.e. containers, underground utilities, foundations, gravel, etc.) shall be removed from the site with the exception of the

drainage improvements and access road. The site shall be returned to its natural pre-construction ground state.

c. All material removed from the site shall be disposed, reused, and recycled in accordance with state and federal requirements.

d. Any adverse substances that may have entered the ground during the course of operations shall be removed from the property and properly disposed of.

2. Prior to the City's authorization to operate the facility, the Applicant shall:

a. Provide a Decommissioning Bond, with the Applicant as the Principal and the instrument shall run to the City, as obligee, and shall become effective on or before the beginning of operations at the site and shall remain in force until the property is fully decommissioned. The amount shall be based on a Professional Engineer's signed and sealed estimate of current costs to decommission the site, at build-out, with an adjusted inflation rate based on the average CPI over the last 10 years from the U.S. Bureau of Labor Statistics.

r. ***On-site Signage.*** The operator of the BESS site shall post in a conspicuous location at the entrance to the facility a sign subject to the following regulations:

1. The sign shall be reflective and weatherproof and shall be placed at all entrance gates to the facility, as well as on the entrance to any buildings that may house any components of the BESS.

2. Lettering shall be a minimum letter height of 3/8" permanently affixed.

3. The sign shall display the following information:

a. 24/7 Contact Information.

b. Types of technology associated with the BESS.

- c. Any special hazards associated with the BESS.
 - d. Type of suppression system installed.
 - e. Disconnect and other emergency shutoff information.
 - f. Command Center location.
4. The sign shall be inspected annually to ensure its structural integrity and to determine if any additional information is required.

s. *Plume Modeling.* To determine the potential toxic risk to those in proximity to the BESS, including responding firefighters, a plume analysis shall be performed. The plume analysis shall utilize appropriate modeling to evaluate worst-case scenarios with varying weather conditions and toxic gas release rates. The plume study shall address toxicity hazards based on toxic gases expected to be released based on gas composition measurements from the cell and module level testing pursuant to UL9540A or other testing. The plume analysis shall include battery failures with both flaming and non-flaming scenarios. These scenarios should be based on results from relevant tests such as UL 9540A tests and include modeling of a full propagation event involving an entire BESS enclosure. The modeling of multiple BESS enclosure failures shall not be required except where testing or analysis indicates that this is to be reasonably expected. Model assumptions, techniques, results, and a summary document shall be provided in a report. The plume study shall be conducted by a qualified firm with experience in plume modeling for battery energy storage systems. The city shall commission the plume model and all costs incurred by the City shall be fully reimbursed by the BESS applicant.


t. *Partnership Agreement.* Prior to the issuance of a building permit, the applicant shall enter into a Payment in Lieu of Taxes Agreement or similar agreement with the City to compensate the local taxing authorities for the loss in tax revenue attributable to depreciation and/or other factors.

u. *Transfer of Ownership.* The Applicant shall provide written notification to the Engineering & Planning Department at least thirty (30) days prior to any change in ownership of a BESS. A change in ownership includes any kind of assignment, sale, lease, transfer, or other conveyance of ownership or operating control of the applicant, the BESS, or any portion thereof. The Applicant or successors-in-interest or assignees shall remain liable for compliance with all conditions, restrictions and obligations contained in the approved Development Plan, the provisions of this

Ordinance, and applicable City, state, and federal laws.

STAFF REPORT

TO: Zoning Commission Regular Meeting – February 18, 2025
City Commission Regular Meeting – February 19, 2025

FROM: Kim Golden, P.E., City Engineer, Director of Engineering & Planning 

CC: Casey Bennett, CBO; Jason Brown, FM; Chief Dennis Harris, TCFD; Doug Kneupper, P.E.

DATE: February 12, 2025

RE: Ordinance regarding Battery Energy Storage Systems

Background: Battery Electrical Storage Systems (BESS) are installations of large containers of batteries which are usually located close to an electrical power substation. The batteries charge during periods of low demand and then supplement the electric grid during periods of high demand. Locations close to an existing substation are essential for most of the projects.

Texas City has two existing BESS installations at 505 34th Ave N and 430 SH 146 N, and two approved sites on SH 146 (410 Hwy 146 N and 701 SH 146). All four locations are south of Palmer Hwy and in or near areas of existing industrial uses. In 2020 and 2021 respectively, these small 10MW installations were found most comparable to the “District F-1” (Outdoor Industrial) zoning classification. Since 2022 and 2023 the applications for the 200MW installations have been processed for rezoning to “District S-P” (Site Plan) as “specific uses which are not normally found in zoning districts”. Numerous pre-development inquiries have been received for sites located in various other zoning districts throughout the city, including several in close proximity to existing residential uses or zoning districts. Some of the proposed projects include energy generation as a component of the projects.

Staff Analysis: During reviews of the various applications and previous presentations of BESS projects to the Planning Board and Zoning Commission, concerns have been expressed regarding risk of battery fire, contamination from site runoff, contamination of air and water byproducts of fire suppression in the event of catastrophic failure, and the ultimate cost of decommissioning. The BESS installations are characterized by their developers as temporary installations. The review procedures of the “District S-P” (Site Plan) process provide the most thorough process for obtaining public input and evaluating the proposed projects in the various locations and zoning districts when presented.

A previously proposed ordinance was presented to the Zoning Commission and City Commission in late 2023 and early 2024. The Zoning Commission recommended the designation of “District S-P” (Site Plan) for the BESS projects. Upon introduction of the ordinance to the City Commission, comments were received from industry professionals and lobbyists. The City also engaged outside counsel regarding the

ordinance formulation and third-party subject matter experts. Staff requested withdrawal of the proposed ordinance prior to final adoption to allow additional time for review and editing of the proposed ordinance. The newly proposed ordinance incorporates the knowledge and information gained. The designation of the "District S-P" (Site Plan) as the exclusive zoning district remains the recommendation for the preferred procedure to provide consistency in the consideration and processing of applications for BESS projects.

Recommendation: To provide for consistency and uniformity of review and the application of city policies, staff are recommending designation of the "District S-P" (Site Plan) as the zoning district for BESS and similar projects. The Zoning Commission is scheduled to consider this recommended zoning change at its regular meeting on February 18, 2025 for purposes of making recommendation to the City Commission.

Staff are also recommending the adoption of Chapter 162 Battery Energy Storage Systems to establish criteria for review of applications as well as requirements and limitations for screening, setbacks, landscaping, maximum impervious area, and other provisions etc. Adoption of Chapter 162 will provide guidance for potential applicants and developers and assist the Planning Board members, Zoning Commissioners, City Commission and staff with standards for the consistent administration and application of the zoning and land use regulations to BESS and similar projects. Chapter 162 also addresses the submittals required by the building officials, Fire Marshal and Emergency Management to fully review the projects during the site-specific permitting process and provides for the engagement of third-party subject matter experts to assist with such reviews.

Recommended amendment to the Zoning Ordinance – Following is the specific recommended amendment to the Zoning Ordinance. This amendment requires a public hearing upon 15-days advertised notice before the City Commission takes action.

"Sec. 160.051. District S-P, Site Plan is amended to add the following:

Sec. 160.051 District S-P, Site Plan

(C) Uses.

(1) Uses and reasons for classification. The following uses are included under District S-P due to the following reasons:

(b) Uses restricted to District S-P

(14) Battery energy storage systems (BESS) and similar projects.

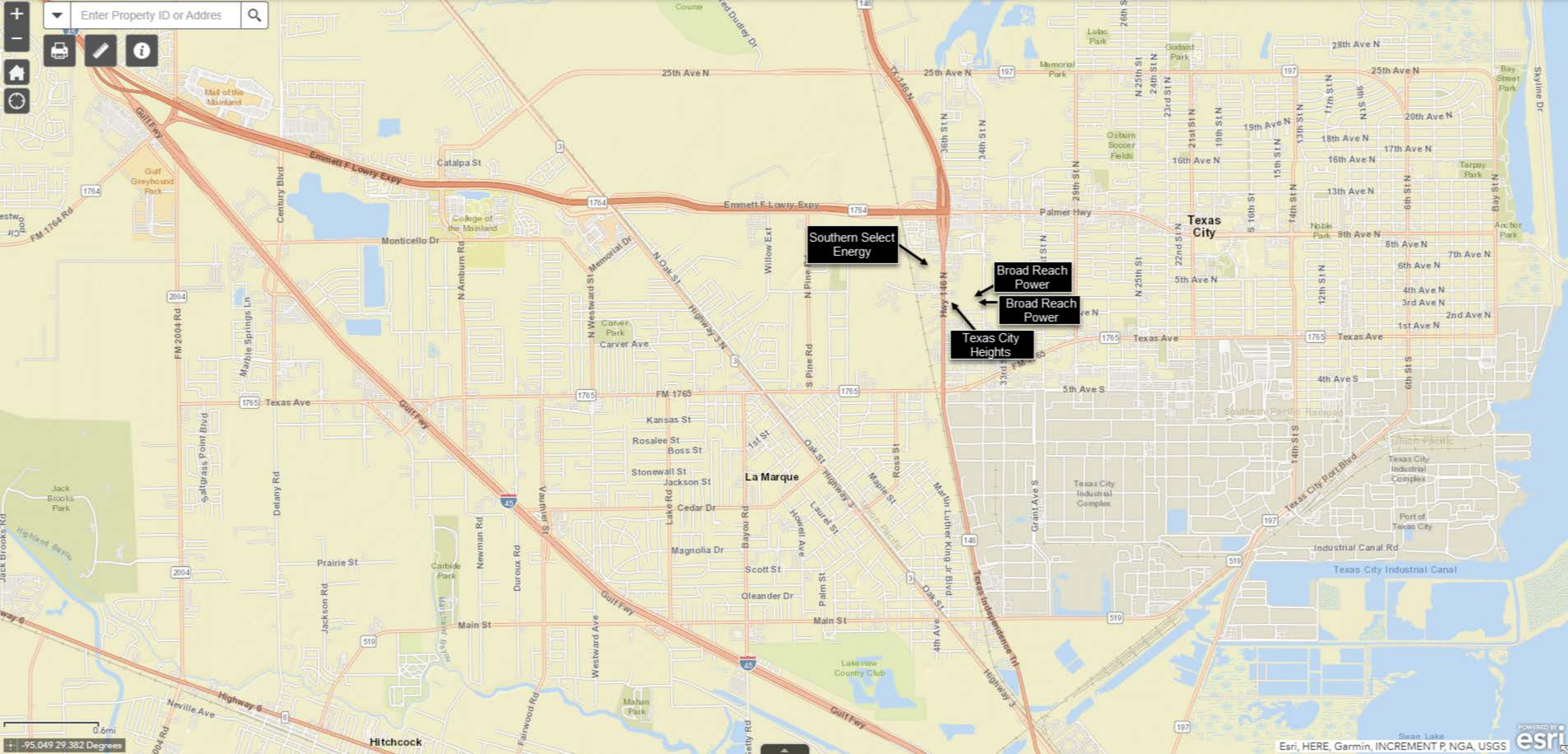
a. Basic zoning district most closely comparable to this requested principal use is District F – Light Industrial. However, due to the unique characteristics of these projects, potential hazards, environmental concerns, and

long-term impacts, the site-specific review required for District SP is warranted and required in all districts, including District F. Planning Board and Zoning Commission and City Commission shall each have broad discretion to consider any and all aspects of the development and its intended use and operation in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare; to protect and conserve the value of land and buildings in the area; and, to minimize conflicts among the uses of land and buildings.

b. Location in, near, or adjacent to existing residential uses or districts is not favored and shall be avoided.

c. BESS projects shall be located at least one-half mile from any existing or planned use for vulnerable populations such as schools, daycare centers, assisted living and nursing homes, hospitals, elderly or supportive housing.

d. Site Plans shall comply with the requirements of Chapter 162 Battery Energy Storage Systems.



CITY COMMISSION REGULAR MTG

(8) (c)

Meeting Date: 02/19/2025

Consider and take action on the first reading of Ordinance 2025-XX, amending the Texas City Code of Ordinances Title XV "Land Usage", Chapter 150 "Building Regulations; Construction"; and Chapter 151 "Electricity" and Chapter 153 "Mechanical Regulations" and Chapter 154 "Plumbing" to require insurance and a surety bond

Submitted For: Kim Golden, Transportation and Planning

Submitted By: Curt Kelly, Transportation and Planning

Department: Transportation and Planning

Information

ACTION REQUEST

Consider and take action on the first reading of Ordinance 2025-XX, amending the Texas City Code of Ordinances Title XV "Land Usage," Chapter 150 "Building Regulations; Construction"; Chapter 153 "Mechanical Regulations"; and Chapter 151 "Electricity" and Chapter 154 "Plumbing" to update the building permit requirements for insurance and surety bond.

BACKGROUND (Brief Summary)

The Texas City Code of Ordinances currently requires all contractors and builders undertaking projects that involve the construction, erection, or repair of buildings which necessitate a permit to maintain liability insurance in the amount of \$300,000 and to the City as the certificate holder to ensure proper accountability and risk management. The proposed ordinance increases the amount of insurance to \$1,000,000 as recommended by the City Attorney.

Current provisions allow a contractor to provide a surety bond in the amount of \$5,000 instead of the liability insurance. This provision needs revision because a bond is not the same as insurance and does not cover a contractor's liability. To protect the public and homeowners, contractors should provide insurance and a surety bond. It is recommended that the bond amount be a minimum of \$10,000. The surety bond serves as a financial guarantee for the completion of the project in accordance with local laws and standards and building code. The proposed ordinance requires approval of the surety bond form by the City Attorney to ensure its compliance with all legal requirements.

Current provisions require a licensed plumber to provide insurance in the amount of \$300,000. The proposed ordinance increases this amount to \$1,000,000 as recommended by the City Attorney.

Current provisions do not require the posting of a surety bond by plumbers, HVAC/mechanical contractors or electrical contractors, or the provision of insurance by HVAC/mechanical contractors or electricians as conditions for the issuance of plumbing, HVAC/mechanical or electrical contractors. The proposed ordinance adds a requirement for licensed plumbers, HVAC/mechanical contractors and licensed electricians to provide \$1,000,000 in liability insurance and a surety bond in the amount of \$10,000.

RECOMMENDATION

The City Engineer, Chief Building Official, and other City staff recommend approval of Ordinance 2025-XX, which amends Chapters 150 ("Building Regulations"), 151 ("Electricity"), 153 ("Mechanical Regulations"), and 154 ("Plumbing"). to require minimum insurance coverage of \$1,000,000, with the City of Texas City designated as the insured party and a surety bond of \$10,000 as a condition for the issuance of building permits to licensed contractors, plumbers, HVAC/mechanical contractors and electricians for work performed in Texas City.

Fiscal Impact

Attachments

Ordinance 2025-xx - building permit required insurance and bond

ORDINANCE NO. 2025-_____

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS, AMENDING THE TEXAS CITY CODE OF ORDINANCES S TITLE XV “LAND USAGE”, CHAPTER 150 “BUILDING REGULATIONS; CONSTRUCTION” AND CHAPTER 151 “ELECTRICITY”; CHAPTER 153 “MECHANICAL REGULATIONS” AND CHAPTER 154 “PLUMBING” AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, the City of Texas City, Texas, is authorized to regulate ordinances pursuant to the Texas Local Government Code;

WHEREAS, the City Commission of the city of Texas City, Texas, needs to amend the Texas City Code of Ordinance Title XV Entitled “Land Usage,” to AMEND Chapter 150 – Building Regulations; Construction AND to AMEND Chapter 151 – Electricity AND to AMEND Chapter 153 “Mechanical Regulations” AND to AMEND Chapter 154 – Plumbing to increase the amount of liability insurance a contractor is required to provide from \$300,000 to \$1,000,000 AND to require the posting of a surety bond in the amount of \$10,000 AND to add these requirements as a condition for obtaining electrical and mechanical permits to do work in the City.

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

Section 1. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Commission hereby further finds and determines that this ordinance's rules, regulations, terms, conditions, provisions, and requirements are reasonable and necessary to protect public health, safety, and quality of life.

Section 2. That City of Texas City’s Code of Ordinances Chapter 150 Entitled “ Building Regulations; Construction” is hereby amended as follows:

“Section 150.052 CONTRACTOR’S BOND REQUIRED: It shall be the duty of every contractor or builder, who shall make contracts for the erection or construction or repair of buildings for which a permit is required, and every contractor or builder making such contracts and subletting same, or any part thereof, to provide liability insurance (minimum \$1,000,000) with the City as certificate holder AND to give good and sufficient bond in the sum of \$10,000 to be approved by the City Attorney, conditioned on conformance to the building regulations of the city code and other ordinances or laws of any applicable governing body in reference to buildings.”

Section 3. The City of Texas City’s Code of Ordinances, Chapter 151 Entitled “Electricity” is hereby amended to ADD Section 151.051 (C) as follows:

“Section 151.051 (C) PUBLIC LIABILITY INSURANCE REQUIREMENTS FOR CONTRACTORS: Each holder of a master electrical license in the State shall, as a condition for the issuance of an electrical permit in the City, furnish a certificate of insurance or other acceptable evidence that the holder has public liability insurance with an insurance company approved by the

City insuring in a sum of not less than \$1,000,000 against personal injury and \$1,000,000 against property damage AND to give good and sufficient bond in the sum of \$10,000 to be approved by the City Attorney, conditioned on conformance to the building regulations of the City code and other ordinances or laws of any applicable governing body in reference to buildings.”

Section 4. The City of Texas City’s Code of Ordinances, Chapter 153 Entitled “Mechanical Regulations” is hereby amended to ADD Section 153.02 (E) as follows:

“Section 153.02 (E) PUBLIC LIABILITY INSURANCE REQUIREMENTS FOR CONTRACTORS: Each holder of a air conditioning & refrigeration contractor’s license in the State shall, as a condition for the issuance of a mechanical permit in the City, furnish a certificate of insurance or other acceptable evidence that the holder has public liability insurance with an insurance company approved by the City insuring in a sum of not less than \$1,000,000 against personal injury and \$1,000,000 against property damage AND to give good and sufficient bond in the sum of \$10,000 to be approved by the City Attorney, conditioned on conformance to the building regulations of the City code and other ordinances or laws of any applicable governing body in reference to buildings.”

Section 5. The City of Texas City’s Code of Ordinances, Chapter 154 Entitled “Plumbing” is hereby amended as follows:

“Section 154.02 PUBLIC LIABILITY INSURANCE REQUIREMENTS FOR CONTRACTORS: Each holder of a master plumbing license in the State shall, as a condition for the issuance of a plumbing permit in the City, furnish a certificate of insurance or other acceptable evidence that the holder has public liability insurance with an insurance company approved by the City insuring in a sum of not less than \$1,000,000 against personal injury and \$1,000,000 against property damage AND to give good and sufficient bond in the sum of \$10,000 to be approved by the City Attorney, conditioned on conformance to the building regulations of the City code and other ordinances or laws of any applicable governing body in reference to buildings.”

Section 6. This ordinance shall be cumulative of all provisions of the City of Texas City, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section 7. It is hereby declared to be the intention of the City Commission of the City of Texas City that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Commission without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 8. That this Ordinance shall be read on three (3) separate days and shall become effective upon its final reading, passage, and adoption.

Section 9. That this Ordinance shall be finally passed upon the date of its introduction and shall become effective from and after its passage and adoption and publication by caption only in the official newspaper of the City of Texas City, Texas.

PASSED ON FIRST READING this ____ day of February 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED ON SECOND READING this ____ day of March 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED AND FINALLY ADOPTED this ____ day of March 2025.

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

ATTEST:

Rhomari D. Leigh

APPROVED AS TO FORM:

Kyle L. Dickson

City Secretary

City Attorney