

CITY OF TEXAS CITY
REGULAR CALLED CITY COMMISSION MEETING

AGENDA

WEDNESDAY, JULY 2, 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) REPORTS
 - (a) Texas City Museum (Recreation and Tourism)
- (5) PUBLIC COMMENTS
- (6) CONSENT AGENDA
 - (a) Approve City Commission Minutes for June 18, 2025 meeting. (City Secretary)
 - (b) Consider and take action on Resolution No. 2025-067, approving and awarding Commission Grant funds in the amount of \$2,500 to Craving for a Change Foundation. (Commissioner DeAndre Knoxson)
 - (c) Consider and take action on Resolution No. 2025-068, designating a representative, alternate, and proxy to the Gulf Coast Transit District. (City Secretary)
- (7) REGULAR ITEMS

- (a) Consider and take action on Resolution No. 2025-066, approving Extension 1 for Bid No. 2024-004 Reinforced Concrete Pipe, Curb Inlets, Catch Basins, and Joint Sealer Annual Contract. (Public Works)
- (b) Consider and take action on the second reading of Ordinance No. 2025-12, amending the Code of Ordinance for the City of Texas City, Title IX Entitled "General Regulations", Chapter 94- Health and Sanitation by prohibiting the placement of outdoor donation bins or receptacles for clothing or other items on public or private property. (Fire Marshal)
- (c) Consider and take action on Resolution No. 2025-069, accepting the fee proposal and approving entering into a contract for architectural services with PGAL for the New Municipal Complex. (Public Works)
- (d) Consider and take action on Resolution No. 2025-070, accepting the fee proposal and approving entering into a contract for architectural services with Joiner Architects for the New Fire Station No. 5. (Public Works)
- (e) 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. (City Engineer)
- (8) COMMISSIONERS' COMMENTS
- (9) MAYOR'S COMMENTS
- (10) ADJOURNMENT

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

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

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARDS AT CITY HALL, 1801 9TH AVENUE NORTH, TEXAS CITY, TEXAS, AT A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AND ON THE CITY'S WEBSITE ON JUNE 27, 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: 07/02/2025

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Texas City Museum (Recreation and Tourism)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

Staff Report

Texas City Museum

Presented by Shelby Rodwell
Museum Curator
Department of Parks, Recreation and Tourism

City Commission Meeting
July 2, 2025
5:00PM



Texas City
EST. 1911

Texas City Museum



Texas City
EST. 1911



Center of Texas City culture, history, and education through:

- Preservation
- Rotating Exhibits
- Events
- Research
- Tours
- Historic homes



Permanent Exhibits



GCMRRC
Model train
display

Dahlgren
Cannon

Early Texas
City

First Aero
Squadron

Charles
Brown

Texas City
Schools

1947 Disaster

And more!

Temporary Exhibits

So far this year:

- Sound of History: Black Musicians in Texas City
- 1947 Disaster
- Mainland Medical Auxiliary
- Wrangling Freedom: Legacy of the 1867 Settlement



Upcoming:

- Women in Space (July-August)
- Quilt Exhibit (November-December)
- Children's Toys (December-January)



Additional Properties



1867 Settlement District:

- Bell House

Heritage Square Park:

- Davison Home
- Engineer's Cottage
- Moore Home
- Lee Dick/Wetzel Home



Texas City
EST. 1911

Annual Membership Fees

Annual Memberships	Fee
1 Adult	\$35.00
1 Senior (60+)/Military/College Student	\$25.00
2 Adults	\$45.00
2 Senior (60+)/Military/College Student	\$35.00
Family (4 people)	\$75.00
Family Plus (6 people)	\$125.00
Corporate (employee with ID)	\$1500.00



Texas City
EST. 1911

Daily Admission

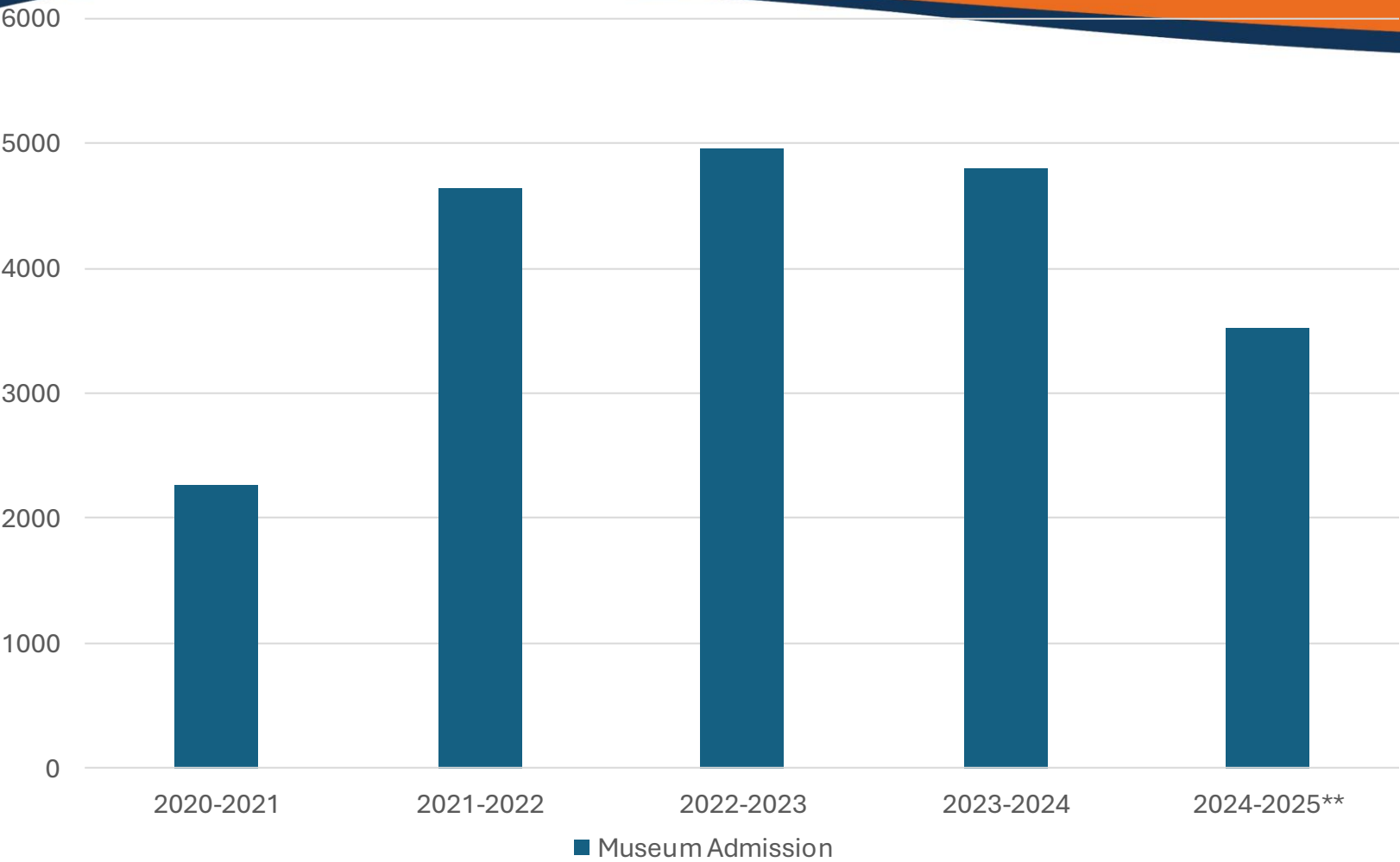


Texas City
EST. 1911

Daily Admission	Fee
Adult	\$7
Senior (60+)/Military/College	\$5
Student 7-17	\$4
Child 0-6	No Charge
Tour Group (10+ visitors)	\$5
School Group	No Charge
Add on Historic Homes	\$1 per home

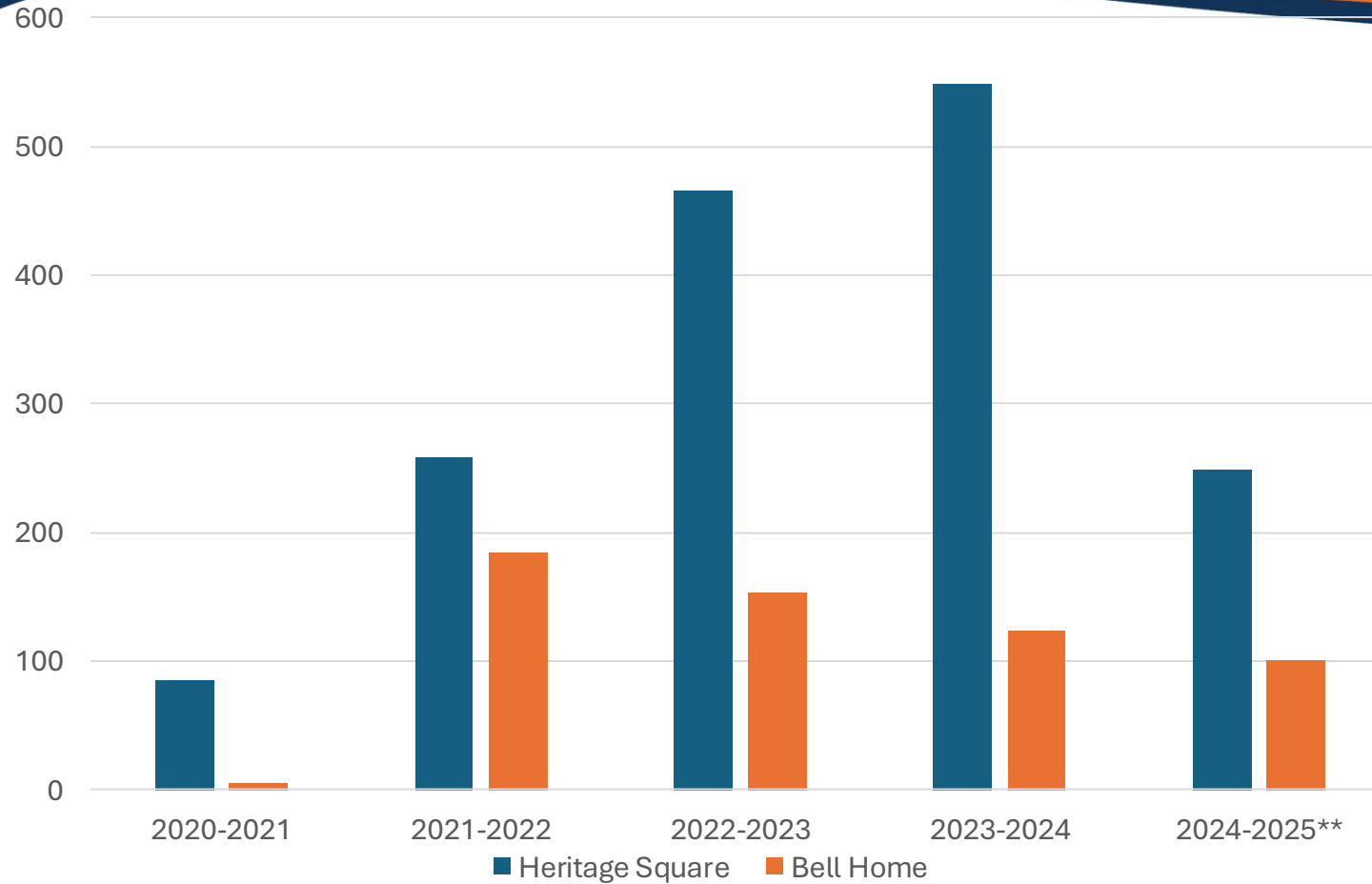


Museum Attendance 5-year Overview



**Up to June 20, 2025

Homes Attendance 5-year Overview



**Up to June 20, 2025.
Bell home totals for 2024-2025
include an estimated 75 for the
1867 Celebration.



Texas City
EST. 1911

Thank You

CITY COMMISSION REGULAR MTG

(6) (a)

Meeting Date: 07/02/2025

Submitted By: Renee Edgar, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Approve City Commission Minutes for June 18, 2025 meeting. (City Secretary)

BACKGROUND (Brief Summary)

RECOMMENDATION

Fiscal Impact

Attachments

June 18, 2025 Minutes

REGULAR CALLED CITY COMMISSION MEETING

MINUTES

WEDNESDAY, JUNE 18, 2025 – 5:00 P.M.
KENNETH T. NUNN COUNCIL ROOM – CITY HALL

A Regular Called Meeting of the City Commission was held on Wednesday, JUNE 18, 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 5:02 p.m. by Mayor Dedrick D. Johnson.

1. ROLL CALL

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

Absent: Commissioner District 2 Keith Love
Commissioner District 3 Chris Sharp

2. INVOCATION

Led by Matthew Brockman, Pastor at Peace Lutheran Church.

3. PLEDGE OF ALLEGIANCE

Led by DeAndre' Knoxson, Commissioner District 1.

4. PROCLAMATIONS AND PRESENTATIONS

a. Service Awards

Adam Hunt	Library	06/19/2015	10 years
Russell McEachern	Rain Water Pump Station	06/15/2015	10 years
Chasity Gurka	Administration	06/21/2010	15 years
Ronnie Aven	Waste Water Treatment Plant	06/14/2005	20 years
Edward Munoz	Public Works	06/28/1995	30 years
Landis Cravens	Police	06/26/1995	30 years

b. Proclaiming June 19, 2025, as Juneteenth.

Presented to Michael Richardson, Fitness Coordinator, who was part of the Juneteenth committee.

5. REPORTS

- a. Collections (Municipal Court)

Tammy Odom, Court Administrator, gave a PowerPoint presentation.

- b. Wastewater and Sewer (Public Works)

Jack Haralson, Public Works Director, gave a PowerPoint presentation.

6. PUBLIC COMMENTS

7. CONSENT AGENDA

Commissioner At-Large, Mayor Pro Tem, Thelma Bowie, made a motion to approve Consent Agenda items 7a and b. The motion was seconded by Commissioner District 1, DeAndre' Knoxson. Consent Agenda item 7c was pulled by Commissioner District 4, Jami Clark.

Vote: 5 - 0 CARRIED

- a. Approve City Commission Minutes for the June 4, 2025 meeting. (City Secretary)

Vote: 5 - 0 CARRIED

- b. Consider and take action on Resolution No. 2025-061, approving the Subdivision Master Plan for Lago Mar East Subdivision and conditions in the Assignment of and Addendum to the Development Agreement for Lago Mar East Subdivision. (Engineering)

Vote: 5 - 0 CARRIED

- c. Consider and take action on Resolution No. 2025-064, authorizing the approval of a contingency fee contract for Collection Services for the collection of delinquent taxes, court fines, and fees with Linebarger Goggan Blair & Sampson, LLP. (Management Services)

Tammy Odom, Court Administrator, stated Linebarger Goggan Blair & Sampson, LLP has provided delinquent ad valorem tax collection services as well as collected the unpaid fines, fees, and court costs for the City and has done an outstanding job of serving the City of Texas City.

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

Vote: 5 - 0 CARRIED

8. REGULAR ITEMS

- a. Consider and take action on Resolution No. 2025-065, awarding ITB No. 2025-482 Lift Station 10 and 30 Discharge Piping Improvements Project. (Public Works)

Jack Haralson, Public Works Director, recommends the approval of Utilities Department and ARKK Engineers entering into a contract with Gilleland Smith Construction, Inc., for Piping Improvements Project at Lift Station 10 and 30 Discharge.

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

Vote: 5 - 0 CARRIED

- b. Consider and take action on the first reading of Ordinance No. 2025-12, amending the Code of Ordinance for the City of Texas City, Title IX Entitled "General Regulations", Chapter 94-Health and Sanitation by prohibiting the placement of donation bins or receptacles for clothing or other items on public or private property. (Fire Marshal)

Dennis Harris, Fire Chief, discussed the photos and complaints received regarding the illegal dumping that occurs in and around collection boxes. They are not only unsafe, obstructing sidewalks or fire lanes, attracting vermin, and unsightly to the City and Department's beautification efforts, but they may also be operated by commercial organizations that profit from the donations, leading to concerns about deceptive practices.

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

Vote: 5 - 0 CARRIED

- c. Consider and take action on Ordinance No. 2025-13, amending the City's fiscal year 2024-2025 budget to transfer funds from the General Fund to the Fire Department's Overtime Pay line item. (Fire)

Dennis Harris, Fire Chief, recommends the approval of a budget amendment to increase the Fire Department's overtime pay line item by transferring \$258,000 from the General Fund to the Fire Department's overtime pay line for fiscal year 2025.

Motion by Commissioner District 1 DeAndre' Knoxson, Seconded by Commissioner At-Large, Mayor Pro Tem Thelma Bowie

Vote: 5 - 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 adoption of the minutes to which the meeting corresponds.

11. ADJOURNMENT

Having no further business, Commissioner At-Large, Abel Garza, Jr., made a MOTION to ADJOURN at 5:55 p.m.; the motion was SECONDED by Commissioner District 1, DeAndre' Knoxson. All present voted AYE. MOTION CARRIED.

DEDRICK D. JOHNSON, MAYOR

ATTEST:

Rhomari Leigh, City Secretary
Date Approved:

CITY COMMISSION REGULAR MTG

(6) (b)

Meeting Date: 07/02/2025

Commissioners' Community Grant: Craving for A Change

Submitted For: Titilayo Smith, Community Development/ Grant Admin

Submitted By: Patricia Mata, Community Development/ Grant Admin

Department: Community Development/ Grant Admin

Information

ACTION REQUEST

Consider and approve the award of the Commission Community Grant to Craving For A Change, sponsored by Commissioner Knoxson, in the amount of \$2,000 to assist in facilitating Social Emotional Learning Groups in the underserved areas of the community.

BACKGROUND (Brief Summary)

Craving for a Change Foundation, a community-based nonprofit dedicated to empowering youth through personal development, social-emotional learning (SEL), and mentorship. Facilitating the SEL groups provides the youth participants with vital tools to manage emotions, build resilience, resolve conflicts peacefully, and develop healthy relationships.

RECOMMENDATION

It is the recommendation of the Director of Community Development and Grants Administration that this grant be awarded.

Fiscal Impact

Funds Available Y/N: Y

Amount Requested: \$2,500

Source of Funds: Commissioners Community Grant Fund App.

Account #: 220101-54901-00015

Fiscal Impact:

The funds are available through the Commissioner's Community Grand Fund.

Attachments

Commission Grant PDF- signed

Presentation

Resolution



COMMISSION COMMUNITY GRANT GUIDELINES

- 1.) Each member of the Commission can sponsor up to \$5,000 (MAXIMUM) in CITY COMMISSION COMMUNITY GRANT FUNDS in a fiscal year (October 1st to September 30th), provided the budget is approved with those grant funds available. Unawarded funds do not “roll over” to the next fiscal year.
- 2.) Grant requests must be submitted to the Director of Community Development and Grants Administration (GA) or the Mayor’s Office, from the member of the Commission who represents the district most impacted by the grant, or the district where the requesting organization is based. GA will ensure all required documents are included in the Commission member’s request and that the funds are available. GA will then submit it to the Mayor for approval. If approved, GA will then advance the request to the City Commission for final approval.
- 3.) The organization requesting funds from the Commission must do so with a letter or an email. (This should be included in the sponsoring Commission member’s request.)
- 4.) The organization requesting funds should be a local nonprofit, 501c3 / tax exempt organization whose services will directly benefit citizens of Texas City, Texas.
- 5.) An organization may only receive funds from this funding mechanism once in a three-year period. This ensures fair opportunity and equitable distribution of funds to others who may need assistance and make requests.
- 6.) A majority vote of the City Commission is required for final approval.
- 7.) Twelve months after the award the grantee is responsible for submitting a close-out report to Grants Administration. The form may be downloaded from the City’s website at www.texascitytx.gov.
- 8.) Commission members should be conservative with the allocation of such funds as they will be requested often by all those aware of the program. We can’t solve every financial crisis, but the PURPOSE of these Commission Community Grants is to help those organizations who help our citizens by enhancing the quality of life here in Texas City.

Required Documents:

- A.) A letter requesting funds that also outlines what the funds will be used for.
- B.) A completed Commission Grant Fund Application (from the sponsoring Commission member).
- C.) Valid Documentation of Tax Exempt / Non-Profit Status.

*(*This document may be updated periodically to ensure proper administration guidelines are in place, as this is a new fund. See date below.)*



Texas City Commission Community Grant Fund Application

**This grant application is to be completed and submitted to the Mayor by a member of the Texas City Commission.*

DeAndre' Knoxson
Name of Sponsoring Commission Member

1
District

Craving For A Change Foundation INC
Name of Benefitting Organization

84-2020700
Tax Exempt / 501c3 Nonprofit Status Number

Amount Requested: \$2000

Date: 6/1/25

Statement of Purpose and benefit to the Citizens of Texas City: _____

Craving For A Change Foundation INC is dedicated to building up our youth through social- emotional learning and
mentorship, by helping them build confidence and manage emotions and develop healthy relationships.

Other Sources of Funding This Organization is Currently Receiving: Community Donations.

**Please note that the submission of this application does not guarantee an allocation of funds. The awarding of this grant is contingent upon several factors, including, but not limited to those it being a qualifying organization, funds availability, purpose of funds requested, and final commission approval.*

Dedrick Johnson

Dedrick Johnson (Jun 23, 2025 16:12 CDT)

06/23/2025

COMMISSIONERS GRANT GUIDELINES | 9.13.22

Dr. Kenshara Cravens

Craving for a Change Foundation
Executive Director
2501 Palmer Highway #260
Texas City, Texas 77590
info@cravingforachange.com
832-297-1131

5/28/25

The Honorable
DeAndre' Knoxson

Dear Commissioner Knoxson,

I hope this letter finds you well. My name is Kenshara Cravens and I am writing on behalf of **Craving for a Change Foundation**, a community-based nonprofit dedicated to empowering youth through personal development, social-emotional learning (SEL), and mentorship.

We respectfully request **\$2,500** in **Commission Community Grant** funding to support the facilitation of **SEL groups** in underserved areas of our community. These groups provide youth with vital tools to manage emotions, build resilience, resolve conflicts peacefully, and develop healthy relationships. With your support, we aim to expand our reach and ensure these critical services are accessible to more young people during this fiscal year.

Our foundation has a demonstrated commitment to the well-being and success of youth, including our ongoing programs at the Jerry J. Esmond Juvenile Justice Center and other community-based initiatives. This funding will directly contribute to staffing, curriculum materials, and safe meeting spaces to implement group sessions effectively.

Thank you for your time and consideration of this request. We are happy to provide any additional documentation required and are committed to maintaining transparency and accountability in the use of grant funds. We look forward to partnering with your office to further strengthen our community.

Warm regards,

Dr. Kenshara Cravens

Executive Director
Craving for a Change Foundation

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **APR 13 2020**

CRAVING FOR A CHANGE FOUNDATION INC
7825 DIAMOND OAK DR
TEXAS CITY, TX 77591-0000

Employer Identification Number:
84-2020700
DLN:
26053483001560
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Form 990-PF Required:
Yes
Effective Date of Exemption:
May 30, 2019
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a private foundation within the meaning of Section 509(a).

You're required to file Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation, annually, whether or not you have income or activity during the year. If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PF" in the search bar to view Publication 4221-PF, Compliance Guide for 501(c)(3) Private Foundations, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 1076

CRAVING FOR A CHANGE FOUNDATION INC

Sincerely,

Stephen a. martin

Director, Exempt Organizations
Rulings and Agreements

Commission Grant PDF CFAC

Final Audit Report

2025-06-23

Created:	2025-06-23
By:	Patricia Mata (pmata@texascitytx.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHrjYZGgSYW_ASbHgAYPA7_jS-5fD82xc

"Commission Grant PDF CFAC" History

-  Document created by Patricia Mata (pmata@texascitytx.gov)
2025-06-23 - 8:29:24 PM GMT
-  Document emailed to Dedrick Johnson (djohnson@texascitytx.gov) for signature
2025-06-23 - 8:31:46 PM GMT
-  Email viewed by Dedrick Johnson (djohnson@texascitytx.gov)
2025-06-23 - 9:10:50 PM GMT
-  Document e-signed by Dedrick Johnson (djohnson@texascitytx.gov)
Signature Date: 2025-06-23 - 9:12:27 PM GMT - Time Source: server
-  Agreement completed.
2025-06-23 - 9:12:27 PM GMT

CRAVING TO BE AN IMPACT?

Partner with us and create a future where your contribution is a key ingredient in our recipe for positive change.

Check out our current partnerships!

PARTNER



KHAMBREL **FOUNDATION**



TEXAS CITY
INDEPENDENT
SCHOOL DISTRICT



RESCUING THE RAINBOW

TSU

TEXAS SOUTHERN UNIVERSITY

TEXAS SOUTHERN
UNIVERSITY

CELEBRATING 6 YEARS OF IMPACT



**CRAVING
FOR A CHANGE
FOUNDATION**

Since 2019, we've empowered over **1,000 youth**, supported **500+ families**, and built lasting partnerships across Galveston County and beyond.

PROGRAM HIGHLIGHTS:

- ✓ SEL & Life Skills Workshops
- ✓ Career Coaching & Job Readiness
- ✓ Juvenile Justice Reentry Services
- ✓ Mental Health & Wellness Programs

👏 THANK YOU

To our amazing staff, volunteers, partners, and supporters — your belief in the power of change fuels our mission every day.”

— Dr. Kenshara Cravens, Founder

CONTACT US

www.cravingforachangefoundation.com

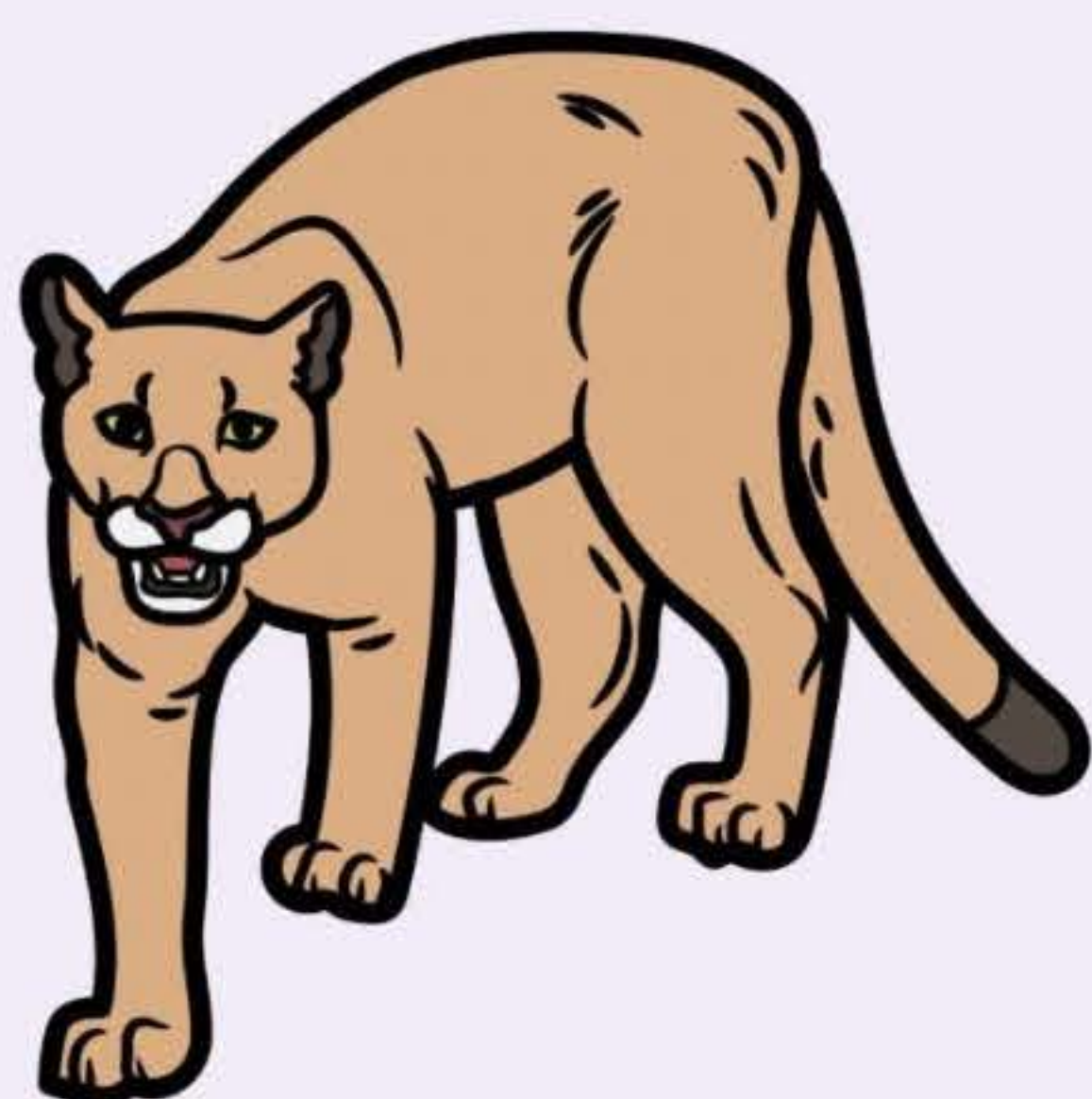
info@cravingforachange.com

🐦 Follow us: @CravingForAChangeFoun





CRAVING FOR A CHANGE
foundation INC.



Cougar- to-Cougar Scholarship 2025

Our 2024 Cougar-to-Cougar Scholarship is a \$1,000 scholarship available to a current LaMarque High School Seniors. Deadline to submit applications is April 5, 2025. Visit www.cravingforachange.com for more details.



Scan QR code to be directed
to the application.

Scan me!



2025
You



2024
Ahmad
Nofal



2023
DeShawna
Grimes



2022
Collin
Simmons



2021
Sundos
Nofal



2020
Tory Tate



2019
Jeremiah
Taylor



2018
Jazmine
Nelson





COLLEGE OF THE MAINLAND



RESOLUTION NO. 2025-067

A RESOLUTION APPROVING THE RELEASE OF COMMISSION GRANT FUNDS AVAILABLE ON BEHALF OF COMMISSIONER DEANDRE KNOXSON, IN THE AMOUNT OF \$2,000.00 TO CRAVING FOR A CHANGE FOUNDATION, INC.; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, Commissioner District 1 DeAndre Knoxson has requested that \$2,000.00 of his Fiscal Year 2025 grant funds be awarded to a local nonprofit, Craving for a Change Foundation, Inc. The funds will be used to facilitate Social-Emotional Learning Groups in the underserved areas of the community.

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, approves the release of Commission Grant funds in the amount of \$2,000.00 to be awarded to Craving for a Change Foundation, Inc.

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

PASSED AND ADOPTED this 2nd day of July 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

(6) (c)

Meeting Date: 07/02/2025

Designate members to the Gulf Coast Transit District

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Requesting to designate a representative, alternate, and proxy to the Gulf Coast Transit District.

BACKGROUND (Brief Summary)

This is a time-sensitive request regarding Gulf Coast Transit District (GCTD) representation. To ensure our entity's participation and voting eligibility in upcoming meetings, GCTD requires that a Resolution be completed and submitted as soon as possible. This resolution formally designates a Texas City Representative, Alternate, and Proxy to the GCTD Governing Body.

RECOMMENDATION

It is recommended that Commissioner At-Large Thelma Bowie be designated as Representative, Mayor Dedrick D. Johnson as Alternate, and City Engineer Kim Golden as Proxy.

Fiscal Impact

Attachments

Resolution

RESOLUTION NO. 2025-068

A RESOLUTION TO DESIGNATE A REPRESENTATIVE, ALTERNATE, AND PROXY FOR THE CITY OF TEXAS CITY TO THE GULF COAST TRANSIT DISTRICT; AND PROVIDING THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, by the City Commission of the City of Texas City, Texas, that Thelma Bowie, Commissioner At-Large, be, and is hereby designated as its Representative to the Governing Body of the Gulf Coast Transit District effective immediately; and

WHEREAS, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is Dedrick D. Johnson, Mayor; and

WHEREAS, that Kim Golden, City Engineer and Planner, as the Proxy of the above-designated Representative and Official Alternate, is to be counted and the City Commissions representative in attendance for the purpose of a quorum and to submit its vote upon all such matters as may come before the meeting at which the Proxy is present in absence of its Elected Officials designated above; and

WHEREAS, that the Executive Director of the Gulf Coast Transit District be notified of the designation of the hereinabove named representative and alternate.

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

SECTION 1: Commissioner At-Large Thelma Bowie is designated as Representative, Dedrick D. Johnson, Mayor, is designated as Alternate, and Kim Golden is designated as Proxy to the Gulf Coast Transit District.

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

PASSED AND ADOPTED this 2nd day of July 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

CITY COMMISSION REGULAR MTG

(7) (a)

Meeting Date: 07/02/2025

Extension 1 for Bid No. 2024-004 Reinforced Concrete Pipe, Curb Inlets, Catch Basins, and Joint Sealer Annual Contract.

Submitted For: Dj Hutchinson, Public Works

Submitted By: Dj Hutchinson, Public Works

Department: Public Works

Information

ACTION REQUEST

Approval of Extension 1 of 3 (12 month) extensions for 2024-004 Reinforced Concrete Pipe, Curb Inlets, Catch Basins, and Joint Sealer Annual Contract. (See Exhibit A)

BACKGROUND (Brief Summary)

Back in April of 2024, this annual contract with the option for (3) 12-month extensions was approved by the City Commission (see Exhibit-Resolution 2024-060). This current agenda item is requesting approval for the first of the three allowed extensions.

RECOMMENDATION

It is the recommendation of the Public Works Department to the City Commission for approval Extension 1 of the Reinforced Concrete Pipe, Curb Inlet, Catch Basin, and Joint Sealer Annual Contract to South Houston Concrete Pipe Company as stated in the Extension 1 Purchase Agreement. (Exhibit A)

Fiscal Impact

Attachments

Exhibit A

ORIGINAL CONTRACT LETTERHEAD

Resolution

Resolution

CITY OF TEXAS CITY, TEXAS

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



Mayor:
Dedrick Johnson, Sr.

Commissioners:
Thelma Bowie
Abel Garza, Jr.
DeAndre' Knoxson
Keith Love
Chris Sharp
Jami Clark

June 17, 2025

South Houston Concrete Pipe, Inc
P.O. Box 101
South Houston, TX 77587

Re: Contract Renewal- Reinforced Concrete Pipe

Dear: Sir/Madam

City of Texas City would like to renew the above-mentioned contract pending your agreement to honor the **provision of Reinforced Concrete Pipes as needed not to exceed the original negotiated pricing as indicated in submittal, for the 1st renewal year of the three (3) year agreement.** The details of the contract terms should remain in accordance to the original agreement. Please review page 2 of this document, check either agree or disagree and return the signed document to:

City of Texas City
Attn: Purchasing Division
1801 9th Ave N.
Texas City, TX 77590

Should you have any questions regarding this renewal proposal, you may contact purchasing at via email at purchasing@texascitytx.gov or via telephone at 409.643-5950.

Thank you for partnering with the City of Texas City.

Respectfully,

Gwynetheia V. Shabazz-Pope, CTPM, CTCM
Purchasing Coordinator

CITY OF TEXAS CITY, TEXAS

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



Texas City
EST. 1911

Mayor:
Dedrick Johnson, Sr.

Commissioners:
Thelma Bowie
Abel Garza, Jr.
DeAndre' Knoxson
Keith Love
Chris Sharp
Jami Clark

South Houston Concrete Pipe

Contract Renewal- Reinforced Concrete Pipe

Original Contract Period: 05/01/2024 to 04/30/2025

Proposed Contract Renewal Period: 05/01/2025 to 04/30/2026

☒ I agree to renew my contract at the previous contracted prices not to exceed the original negotiated price

☐ I disagree (if so, please give brief explanation)

Matthew Stone
Printed Name


Signature

281-484-7000
Telephone No

6/17/25
Date

Must be signed by a person having authority to bind the firm in a contract.

"QPS - Quality Public Service"



PURCHASE AGREEMENT

STATE OF TEXAS §

COUNTY OF GALVESTON §

THIS AGREEMENT MADE AND ENTERED INTO THIS 1st DAY OF MAY A.D., 2024, by and between the CITY OF TEXAS CITY (OWNER), a municipality in Galveston County, Texas, and South Houston Concrete Pipe Company, Inc., of the City of Houston, County of Harris, and the State of Texas.

DESCRIPTION

WITNESSETH: In consideration of the payments and agreements hereinafter mentioned, to be made and performed by OWNER, SUPPLIER agrees to furnish reinforced concrete pipe, curb inlets, catch basins, and joint sealer for the unit prices bid, as described in:

BID # 2024-004 REINFORCED CONCRETE PIPE, CURB INLETS, AND JOINT SEALER ANNUAL CONTRACT

The SUPPLIER agrees to furnish to the OWNER cement stabilized sand, for the unit prices bid, in complete accordance with the OWNER'S specifications, conditions and prices stated in the Bid Form dated April 08, 2024.

AGREEMENT

This Agreement shall consist of the Purchase Agreement, Notice to Bidders, Instructions to Bidders, Conflict of Interest, Special Conditions, Specifications and the Bid Form. These items shall form the Agreement and are as fully a part of the Agreement as if attached to the Agreement.

This contract represents the entire and integrated agreement between the OWNER and the SUPPLIER and supersedes all prior negotiations, representations or agreements, whether written or oral.

The SUPPLIER agrees to furnish to the OWNER cement stabilized sand, for the unit prices bid, as stated on the Bid Form for the duration of the contract.

CITY OF TEXAS CITY, TEXAS
PUBLIC WORKS DEPARTMENT • OFFICE (409) 643-5810 • FAX (409) 945-0856
7800 EMMETT F LOWRY EXPRESSWAY, TEXAS CITY, TX 77591
P. O. BOX 2608, TEXAS CITY, TX 77592-2608



TERM

The SUPPLIER shall supply delivered materials on an “as needed” basis for a twelve (12) month period beginning May 1, 2024 and continuing through April 30, 2025.

Extension of this contract for three (3) additional twelve (12) month periods beyond the contract term may be negotiated when prices and conditions agreeable to both parties.

PAYMENT

The OWNER agrees to make payments in the full amount of the invoice within thirty (30) days following receipt of an invoice.

The amounts to be paid are based on the SUPPLIER’S Bid Form attached hereto and subject to the conditions, which are described in the contract documents.

In WITNESS THEREOF, the parties of these presents have executed this agreement in quadruplicate in the year and day first above written.

**South Houston Concrete Pipe
Company, Inc**
SUPPLIER

CITY OF TEXAS CITY
OWNER

Typed Name: _____
Position: _____

Dedrick D. Johnson, Sr.
MAYOR

DATE

DATE

SEAL

SEAL

ATTEST:

ATTEST:

Director of Finance

CITY OF TEXAS CITY, TEXAS
PUBLIC WORKS DEPARTMENT • OFFICE (409) 643-5810 • FAX (409) 945-0856
7800 EMMETT F LOWRY EXPRESSWAY, TEXAS CITY, TX 77591
P. O. BOX 2608, TEXAS CITY, TX 77592-2608

RESOLUTION NO. 2024-060

A RESOLUTION APPROVING BID NUMBER 2024-004 REINFORCED CONCRETE PIPE, CURB INLETS, CATCH BASINS, AND JOINT SEALER ANNUAL CONTRACT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the “Notice to Bidders” was published on March 27 and April 3, 2024. Bid packets were made available to local area vendors for Bid No. 2024-004 Reinforced Concrete Pipe, Curb Inlets, Catch Basins, and Joint Sealer Annual Contract; and

WHEREAS, bid(s) were opened on April 10, 2024, and the responsible bid was received from South Houston Concrete Pipe Company, Houston, Texas; and

WHEREAS, the Public Works Department recommends awarding Bid No. 2024-004 Reinforced Concrete Pipe, Curb Inlets, Catch Basins, and Joint Sealer Annual Contract to South Houston Concrete Pipe Company.

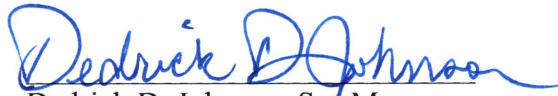
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the City Commission of the City of Texas City, Texas, hereby awards Bid No. 2024-004 Reinforced Concrete Pipe, Curb Inlets, Catch Basins, and Joint Sealer Annual Contract to South Houston Concrete Pipe Company.

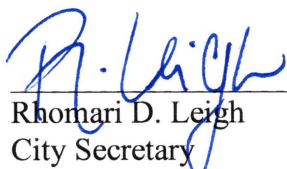
SECTION 2: That the Mayor is hereby authorized to enter a contract with South Houston Concrete Pipe Company for the respective unit prices bid in **Exhibit “A”** attached hereto and made a part hereof for all intents and purposes and to approve change orders not to exceed 25.0% of the total contract without taking the matter before the City Commission.

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

PASSED AND ADOPTED this 17th day of April 2024.


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

RESOLUTION NO. 2025-066

A RESOLUTION APPROVING EXTENSION FOR BID NO. 2024-004 REINFORCED CONCRETE PIPE, CURB INLETS, CATCH BASINS, AND JOINT SEALER ANNUAL CONTRACT; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, it is the Public Works Department's recommendation to approve the first of three extensions (12-month) as stated and shown in the original contract that was passed and adopted in Resolution No. 2024-060 on April 17, 2024; and

WHEREAS, services will continue to be provided by South Houston Concrete Pipe Company as stated in the Extension 1 Purchase Agreement. (**Exhibit "A"**)

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 awards the first of three extensions (12-month) as stated and shown in the Extension 1 Purchase Agreement in **Exhibit "A"** attached hereto and made a part hereof for all intents and purposes.

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

PASSED AND ADOPTED this 2nd day of July 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) (b)

Meeting Date: 07/02/2025

Submitted By: Rhomari Leigh, City Secretary

Department: City Secretary

Information

ACTION REQUEST

Ordinance No. 2025-12, amending the Code of Ordinance for the City of Texas City by amending Chapter 94, prohibiting the placement of outdoor donation bins or receptacles for clothing or other items on public or private property. (Fire Marshal)

BACKGROUND (Brief Summary)

Photos and complaints have been received about the illegal dumping that takes place in and around these collection boxes. They are not only unsafe, obstructing sidewalks or fire lanes, attracting vermin, and unsightly to the City and Department's beautification efforts, but they may also be operated by commercial organizations that profit from the donations, leading to concerns about deceptive practices.

Several cities have regulations or ordinances regarding donation boxes, some of which may restrict or effectively prohibit them in certain areas. Please look at the City of Seagoville (2016) or the City of Dallas (2023) for research and clarification on the goal of this agenda item.

* The only change from the first meeting was the addition of the word "outdoor" to the title and description of the proposed Ordinance to better explain the location of the receptacles and bins in question. (6/20/2025)

RECOMMENDATION

Staff recommends consideration and approval of the Ordinance.

Fiscal Impact

Attachments

Ordinance
attachment

ORDINANCE NO. 2025-12

AN ORDINANCE OF THE CITY OF TEXAS CITY, TEXAS, AMENDING CHAPTER 94 PROHIBITING THE PLACEMENT OF DONATION BINS OR RECEPTACLES FOR CLOTHING OR OTHER ITEMS ON PUBLIC OR PRIVATE PROPERTY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City Commission of the City of Texas City, Texas finds that the unregulated placement of donation bins and receptacles for clothing and other household goods contributes to blight, illegal dumping, and the improper use of property;

WHEREAS, the City of Texas City (“City”) has received complaints regarding the visual appearance, maintenance, and misuse of such bins and receptacles;

WHEREAS, the City Commission seeks to preserve the public health, safety, and welfare of all residents by prohibiting such donation bins and receptacles within the City;

WHEREAS, the City Commission of the City, needs to amend the Code of Ordinance Title IX Entitled “General Regulations”, Chapter 94 – Health and Sanitation to add a section prohibiting donation bins;

WHEREAS, pursuant to TEX. LOCAL GOV'T CODE § 211.001 *et seq.*, the City of Texas City, Texas, is authorized to adopt ordinances 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

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 the rules, regulations, terms, conditions, provisions, and requirements of this ordinance are reasonable and necessary to protect the public health, safety, and quality of life. The City of Texas City’s Code of Ordinances, Chapter 94 – Entitled “Health and Sanitation”, is amended by adding the following:

DONATION BINS OR RECEPTACLES

Sec. 94.080 – Definitions

(A) *Donation Bin or Receptacle.* Donation Bin or Receptacle shall mean any container, box, trailer, or similar device placed outdoors and intended for use by the public to collect clothing, shoes, textiles, household goods or similar items for use by any person or entity for the purpose of donation, resale, recycling, or redistribution.

Sec. 94.081 – Prohibitions

(A) The placement, installation, maintenance, or operation of any donation bin or receptacle is hereby prohibited within the corporate limits of the City of Texas City, Texas.

(B) It shall be unlawful for any person, business, organization, or entity to place or allow the placement of a donation bin or receptacle on either public or private property within the City.

Sec. 94.082 – Enforcement

(A) This Ordinance shall be enforced by the Code Enforcement Officers or any officials for the City.

(B) Any donation bin or receptacle placed in violation of this Ordinance shall be declared a public nuisance and may be removed by the City. All costs associated with removal, storage, or disposal shall be the responsibility of the owner or party responsible for the placement.

Sec. 94.083 – Penalty

(A) Any person, business, organization, or entity who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed One Thousand Dollar (\$1000.00) per offense.

(B) Each day a violation exists shall constitute a separate and distinct offense.

Section 2. 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 3. 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 4. 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 5. That this Ordinance shall be read on three (3) separate days and shall become effective upon its final reading, passage, and adoption.

Section 6. 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 18th day of June 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED ON SECOND READING this 2nd day of July 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED AND FINALLY ADOPTED this 16th day of July 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

**CLOTHING DONATION
DROP BOX**





05.30.2023 12:23



O'Reilly AUTO PARTS

FURNITURE - APPLIANCES -
ELECTRONICS

CLOTHING DONATION
DROP BOX

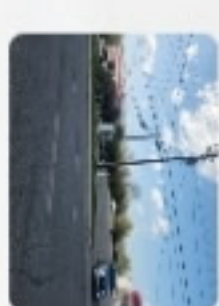
CLOTHING DONATION
DROP BOX



WE DONATE TO CHARITY
IF YOU DONATE
TO CHARITY
WE DONATE TO CHARITY
IF YOU DONATE
TO CHARITY
WE DONATE TO CHARITY
IF YOU DONATE
TO CHARITY







CITY COMMISSION REGULAR MTG

(7) (c)

Meeting Date: 07/02/2025

to accept the fee proposal and approve entering into a contract for architectural services with PGAL for the New Municipal Complex.

Submitted For: Dj Hutchinson, Public Works

Submitted By: Dj Hutchinson, Public Works

Department: Public Works

Information

ACTION REQUEST

Accept the fee proposal and approve entering into a contract for architectural services with PGAL for the New Municipal Complex. For more details about the proposal and project. (SEE EXHIBITS A thru C)

BACKGROUND (Brief Summary)

The design and construction of a New Municipal Complex is a Building for the Future Project. The New Municipal Complex to be located on the site of the existing City Hall will hold the following City departments: Municipal Court, City Commission Chambers, City Marshals, Emergency Operations Center, Water Billing, Economic Development, Community Development, Facilities Management, Dispatch and Administration to include Finance, Human Resources, Innovation & Technology, Communications, City Secretary, Mayor and Mayor's staff, Management Services, Municipal Services, Purchasing, and Payroll. The new complex, consisting of a two-story building with an adjacent one-story building, will be designed large enough to accommodate the projected staffing needs through 2035. The City requested and reviewed statements of qualifications from qualified architects for a full-service contract to provide architectural design services for the new municipal complex. The SOQs were evaluated, and PGAL was selected for contract negotiation based upon years of experience with the design and construction of municipal complexes, including previous experience verified from references with the City of Sugarland, the City of West University, and the City of Granbury. PGAL provided a fixed fee proposal which was reviewed and negotiated to include the following services: Schematic Design, Design Development, Construction Documents, Bidding, Permitting and Construction Administration, and sub-consultants included in Basic Services to include structural, mechanical, electrical and plumbing, windstorm, civil, landscaping/irrigation, technology, third party civil review, MEP commissioning, and accessibility review & inspection. The proposed fixed fee is \$2,893,150 with a recommended budget of \$100,000 for reimbursable expenses. The construction budget is estimated at \$41,500,000. The project duration is estimated to be 23 to 33 months.

RECOMMENDATION

Staff recommend acceptance of the fee proposal and approval of a contract for architectural services with PGAL for the New Municipal Complex.

Fiscal Impact

Attachments

Exhibit A
Exhibit B
Exhibit C
Resolution



23 June 2025

Kim Golden
City Engineer
City of Texas City
1801 9th Avenue North
Texas City, Texas 77590

ALEXANDRIA
ATLANTA
AUSTIN
BOCA RATON
CHICAGO
DALLAS
HOBOKEN
HOUSTON
LAS VEGAS
LOS ANGELES

Re: Fee Proposal for Final Design Services
Texas City Municipal Complex

Dear Ms. Golden,

After careful review of your project criteria, PGAL is pleased to submit this Fee Proposal to provide Architectural and Engineering Design Services for developing the Final Design for a new planned Texas City Municipal Complex located at 1801 9th Avenue North in Texas City, Texas. The scope of services and fees required to perform these services are based on the information provided by the City and work prepared during the Planning and Concept Design Phase.

PROJECT UNDERSTANDING

The existing City Hall no longer is large enough to serve the City of Texas City. The City has been moving departments out of the existing City Hall building to accommodate recent growth. The City expects to centralize critical City services in the new building. The City wishes to construct a new Municipal Complex that will hold the following City Departments:

- Municipal Court
- Commissioners Chambers
- Marshals
- Emergency Operations Center (EOC)
- Water Billing
- Economic Development
- Community Development
- Administration
 - Finance
 - HR
 - IT

- Communications
- City Secretary
- Mayor
- Management Services
- Municipal Services
- Purchasing
- Payroll
- Executive Assistant
- Facility Management
- Dispatch

The existing City Hall building is an approximately 15,000 square foot one story building and accommodates approximately 25 employees. The new complex is expected to be a two story building and an adjacent one story building large enough to accommodate approximately 113 employees based upon 2035 staffing projections.

The existing City Hall building sits next to an existing park at the corner of 9th Avenue North and 21st Street North. The City wants the new Municipal Complex to be situated on the same site as the existing City Hall building and utilize as much existing parking as possible. It is expected that all required utilities are available at the edge of the site. No detention is expected to be required. There are approximately 45 existing parking spaces located along 9th Avenue and are expected to be retained in the final design. Some remediation may be required for these existing parking spaces. 190 new surface parking spaces are expected to be provided by this project. The site has several large existing trees. As many of the existing trees will be retained as possible. The existing trails located adjacent to the existing City Hall are expected to be impacted by the new construction. This project will modify the impacted trails and relocate as required to blend with the new construction. The relocated and repaired trails adjacent to the new construction are expected to be returned to like kind condition of the existing trails. The site plan configuration is expected to be similar to the concept site plan prepared by PGAL during the Concept Design Phase. The existing City Hall building will need to be demolished to accommodate the new Municipal Complex. The existing City Hall functions and staff will need to be relocated during construction. The City is expected to lease another structure and relocate City staff and functions during construction. That staff relocation is not part of this project and will be handled separately by the City.

PGAL prepared preliminary Programming and a Concept Design for the new facility as part of another agreement. It was determined that the new municipal facility will have two separate but connected buildings totaling approximately 63,000 square feet. The new EOC will contain approximately 7,000 square feet and be a one story hardened building. The new City Hall is expected to contain approximately 56,000 square feet and be a two story hardened building. The buildings are expected to have steel framed structures and masonry clad exterior walls. All windows are expected to be storm resistant and be designed to withstand a CAT 5 storm. Both buildings are expected to have full emergency generator backup. The floor plan and configurations of the buildings are expected to be similar to the test fit floor plans previously prepared by PGAL. While the previously prepared floor plans are expected to be similar to the final design, PGAL will be going through a full design process which might lead to other

different configurations that will remain within the square footages shown on the Concept Design documents. PGAL presented building elevation concepts during the Concept Design Phase. The final building elevations is expected to be similar to the "South Texas Traditional" scheme or the "Transitional" scheme prepared by PGAL. Both buildings are expected to have a finish floor elevation that is to be 2 feet above the 500 year flood plain.

The City may choose to utilize a Construction Manager at Risk (CMAR) approach for this project or use the Competitive Sealed Proposal process. Whichever approach the City chooses, we will assist the City in the preparation of the Request for Proposal (RFP), advertisement and selection. We will work along side the chosen CMAR or contractor to accomplish the City's goals for this project.

The project is not expected to obtain a LEED certification as defined by the USGBC. However, this project is expected to be designed to LEED standards and systems. We will not be submitting the project to the USGBC under Basic Services. If the City wishes the project to receive a LEED certification, we will provide LEED design services through a Specified Additional Service.

Demolition of the existing City Hall building is expected to be required by this project. The City is expected to conduct a comprehensive contamination survey of the existing building that includes asbestos and lead paint. The City is expected to remove all contaminated materials and perform monitoring tasks required by the State of Texas prior to the demolition of the building.

The construction budget for this project is expected to be \$41,500,000.00.

We have assumed the basis of the contract will be the AIA B-103 Standard Agreement Between the Owner and Architect.

DESIGN SERVICES

During the Preliminary Design, we will confirm the previously prepared space program with City stakeholders. We will conduct workshops with stakeholders to create room data sheets for each space to define detailed space requirements for each space in the building. The concept floor plans and site plan will be updated to reflect the room data sheets and confirmed building program.

PGAL will provide 3D sketch-up models of the building to present design ideas and get feedback from the City. We will provide exterior renderings of the final Preliminary Design concept.

Design services will include Preliminary Design, Schematic Design, Design Development, Construction Documents, Bidding, Permitting and Construction Administration. We expect to present the project to the City staff and to the City Commission in a workshop(s) for approval. We have assumed up to 2 City Commission meetings and/or workshops.

Upon approval of the Schematic Design Phase, PGAL will prepare construction documents required for permitting and construction. The project is assumed to be designed as a single project to be built in a single phase. The completed construction documents will be submitted to the City Permitting office for purposes of obtaining a building permit. We will submit the project to the Texas Department of Licensing and Regulations (TDLR) for accessibility (ADA) review. We will assist the contractor and City in obtaining bids for the project.

We expect that the CMAR, if utilized, will provide cost estimates, constructability reviews, schedule management during design as well as management of and construction of the project. Construction Administration services include attendance at weekly progress meetings, answering RFI's, review of shop drawings, preparation of change orders, review of contractor's pay application and preparation of a punch list.

COMPENSATION

Basic Services: We propose to perform the Basic Services for Preliminary Design, Schematic Design, Design Development, Construction Documents, Bidding, Permitting, and Construction Administration design services for a Lump Sum of \$2,893,150.00. This fee includes management, architectural, interiors, MEPFP, structural, TDI inspection and certification, security, IT, irrigation, civil, and landscape design services only. The breakout of the fees are as follows:

Preliminary Design:	\$ 239,290.00
Schematic Design:	\$ 472,780.00
Design Development:	\$ 480,530.00
Construction Documents:	\$ 919,470.00
Bid:	\$ 42,625.00
Permit:	\$ 75,700.00
Construction Administration:	\$ 651,470.00
Close Out:	<u>\$ 11,285.00</u>
Total:	\$2,893,150.00

Reimbursable Costs: PGAL expects to be reimbursed for any out-of-pocket expenses we incur on behalf of the project such as cost of reproduction, plotting, special handling or delivery and mileage. Reimbursable expenses will be billed at our cost, plus a 10% service charge. We recommend a budget of \$100,000.00 be established for reimbursable expenses.

Specified Additional Services: If services other than those described as Basic Services are requested by the City, they will be billed in addition to the above Basic Services compensation in accordance with the negotiated Lump Sum amounts listed below or in compliance with the attached rate schedule. The City may choose to authorize any of the Specified Additional Service tasks listed below throughout the course of the contract. No Specified Additional Service task will be performed without specific written authorization from the City. The following constitutes Specified Additional Services should they be requested by the City:

Alta Survey	Lump Sum of \$40,000.00
Geotechnical Survey	Lump Sum of \$15,000.00
FFE Design	Lump Sum of \$250,000.00
IT Design	Lump Sum of \$50,000.00
Security Design	Lump Sum of \$30,000.00
AV Design	Lump Sum of \$20,000.00
Commissioning	Lump Sum of \$30,000.00
Enhanced Commissioning	Lump Sum of \$26,000.00
USGBC Fees	Lump Sum of \$18,000.00
Energy Modeling	Lump Sum of \$42,000.00
Design Fees for LEED Certified Level	Lump Sum of \$40,000.00
Assuming LEED V4.1	

Additional Services: If services other than those described as Basic Services and Specified Additional Services are requested by the City, they will be billed in addition to the above compensation in accordance with the attached rate schedule. Additional Services include but are not limited to the following:

- Professional renderings, models and computer animations
- Any design consultants other than those specifically included
- Environmental survey
- Topographic surveying
- Platting services
- Geotechnical investigation
- Design of FFE
- LEED certification
- Energy modeling
- LEED design fees
- Commissioning and enhanced commissioning fees
- USGBC fees
- Design of offsite improvements
- Design of traffic signals
- Detailed cost estimates
- Design of additional on-site parking lot beyond 190 spaces
- Design and temporary relocation of City Hall staff and functions during construction
- Design of a detention pond
- Abatement design services
- Removal of contaminated materials and monitoring

SCHEDULE

We are prepared to complete this project in compliance with your requirements and the approved design schedule. We have staff available to begin immediately.

Thank you for the opportunity to serve the City of Texas City. Please do not hesitate to call should you have any questions regarding this proposal.









Sincerely,
PGAL



Jeffrey P. Gerber, AIA
Chief Executive Officer

					Design								Permit		Bid	Construction															Closeout					
					PD	SD		DD		CD				Permit		Bid	Construction Administration															Closeout				
Firm	Staff	Billing Rate	Total Amount	Total Hours	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 17	Month 18	Month 19	Month 20	Month 21	Month 22	Month 23	Month 24	Month 25	Month 26	Month 27	Month 28	Month 29	Month 30	Month 31	Month 32	Total Hours	Billing Rate			
Architecture/Interiors -PGAL			\$ 1,694,614.84	8,318	685	670	670	670	670	670	665	645	644	111	111	155	138	138	138	138	138	138	138	138	138	138	138	138	138	138	20	8,318		\$ 1,694,614.84		
	Jeff Gerber	300	\$ 102,300.00	341	30	30	30	30	30	30	30	30	30	5	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	-	341	300	\$ 102,300.00		
	Ryan Horton	240	\$ 201,120.00	838	75	75	75	75	75	75	75	75	74	8	8	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	-	838	240	\$ 201,120.00		
	Alysha Koenig	250	\$ 303,000.00	1,212	100	100	100	100	100	100	100	100	100	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	20	8	1,212	250	\$ 303,000.00		
	Shauna Martin	200	\$ 239,600.00	1,198	100	100	100	100	100	100	100	100	100	50	50	50	10	10	10	10	10	10	10	10	10	10	10	10	10	10	8	1,198	200	\$ 239,600.00		
	Brittney Galvez	190	\$ 175,560.00	924	75	75	75	75	75	75	70	50	50	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	-	924	190	\$ 175,560.00			
	Joaquin Prado	180	\$ 135,720.00	754	50	50	50	50	50	50	50	50	50	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	-	754	180	\$ 135,720.00			
	Giang Pham	225	\$ 169,650.00	754	50	50	50	50	50	50	50	50	50	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	-	754	225	\$ 169,650.00			
	Emily Shaefer	148	\$ 91,760.00	620	50	50	50	50	50	50	50	50	50	-	-	30	10	10	10	10	10	10	10	10	10	10	10	10	10	-	620	148	\$ 91,760.00			
	Ali Lam	151	\$ 67,950.00	450	50	50	50	50	50	50	50	50	50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	450	151	\$ 67,950.00			
	Juan Garcia	151	\$ 91,071.00	603	50	50	50	50	50	50	50	50	50	-	-	13	10	10	10	10	10	10	10	10	10	10	10	10	10	-	603	151	\$ 91,071.00			
	Caterina Stefano	200	\$ 79,923.84	400	39	24	24	24	24	24	24	24	24	8	8	13	10	10	10	10	10	10	10	10	10	10	10	10	10	-	400	200	\$ 79,923.84			
	Stephanie Patterson	165	\$ 36,960.00	224	16	16	16	16	16	16	16	16	16	8	8	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	224	165	\$ 36,960.00			
Structural-Daily			\$ 382,650.00	1,920	170	170	170	170	170	170	160	160	160	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	12	1,908		\$ 382,650.00			
	Fred Dally	250	\$ 37,500.00	150	20	20	20	20	20	20	10	10	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	150	250	\$ 37,500.00			
	Staff	180	\$ 106,200.00	590	50	50	50	50	50	50	50	50	50	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	4	590	180	\$ 106,200.00			
	Staff	180	\$ 106,200.00	590	50	50	50	50	50	50	50	50	50	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	4	590	180	\$ 106,200.00			
	Luis Martinez	225	\$ 132,750.00	590	50	50	50	50	50	50	50	50	50	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	4	590	225	\$ 132,750.00			
Plumbing-PBS			\$ 32,400.00	180	20	20	20	20	20	20	20	20	20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	180		\$ 32,400.00			
	Ramon Camacho	180	\$ 32,400.00	180	20	20	20	20	20	20	20	20	20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	180	180	\$ 32,400.00			
Electrical-PBS			\$ 253,080.00	1,128	120	120	120	120	120	120	80	80	80	8	8	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	4	1,124		\$ 253,080.00		
	Kunal Shah	300	\$ 54,000.00	180	20	20	20	20	20	20	20	20	20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	180	300	\$ 54,000.00			
	Staff	210	\$ 199,080.00	948	100	100	100	100	100	100	60	60	60	8	8	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	4	948	210	\$ 199,080.00		
Mechanical-PBS			\$ 153,300.00	844	80	80	80	80	80	80	70	70	70	5	5	-	10	10	10	10	10	10	10	10	10	10	10	10	10	10	4	840		\$ 153,300.00		
	Tariq Hassan	210	\$ 33,600.00	160	20	20	20	20	20	20	10	10	10	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	160	210	\$ 33,600.00		
	Staff	175	\$ 119,700.00	684	60	60	60	60	60	60	60	60	60	-	-	-	10	10	10	10	10	10	10	10	10	10	10	10	10	4	684	175	\$ 119,700.00			
Fire Alarm/Fire Protection-PBS			\$ 129,060.00	682	30	30	30	30	50	50	50	50	50	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	20	8	674		\$ 129,060.00		
	Muhaned Aziz	225	\$ 31,500.00	140	10	10	10	10	20	20	20	20	20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	140	225	\$ 31,500.00			
	Staff	180	\$ 97,560.00	542	20	20	20	20	30	30	30	30	30	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	8	542	180	\$ 97,560.00			
Civil - ARKK			\$ 196,175.00	1,124	60	60	60	70	70	70	70	70	70	24	24	24	34	34	34	34	34	34	34	34	34	28	28	28	28	28	6	1,118		\$ 196,175.00		
	Staff	185	\$ 52,540.00	284	10	10	10	20	20	20	20	20	20	8	8	8	10	10	10	10	10	10	10	10	4	4	4	4	4	-	284	185	\$ 52,540.00			
	Staff	170	\$ 113,885.00	670	40	40	40	40	40	40	40	40	40	8	8	8	20	20	20	20	20	20	20	20	20	20	20	20	20	6	670	170	\$ 113,885.00			
	Staff	175	\$ 29,750.00	170	10	10	10	10	10	10	10	10	10	8	8	8	4	4	4	4	4	4	4	4	4	4	4	4	4	-	170	175	\$ 29,750.00			
Landscape -M2L			\$ 51,870.00	260	20	20	20	20	20	20	20	20	20	8	8	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	256		\$ 51,870.00		
	Michael Mauer	240	\$ 23,520.00	98	10	10	10	10	10	10	10	10	10	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	98	240	\$ 23,520.00			
	Staff	175	\$ 28,350.00	162	10	10	10	10	10	10	10	10	10	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	162	175	\$ 28,350.00		
TOTAL HOURS			\$ 2,893,150	14,455.65	1,185	1,170	1,170	1,180	1,200	1,200	1,135	1,115	1,114	188	188	223	240	240	240	240	240	240	240	240	240	234	234	234	234	234	58	14,418		2,893,150		

City of Texas City
Municipal Building
06/20/2025

Task Name	Duration	Start	Finish	2025		2026		2027	
				H1	H2	H1	H2	H1	H2
TEXAS CITY MUNICIPAL BUILDING	510 days	Mon 7/7/25	Fri 6/18/27						
Preliminary Design Phase	20 days	Mon 7/7/25	Fri 8/1/25						
Schematic Design	35 days	Mon 8/4/25	Fri 9/19/25						
Design Development	35 days	Mon 9/22/25	Fri 11/7/25						
Construction Documents	70 days	Mon 11/10/25	Fri 2/13/26						
Permit	35 days	Mon 2/16/26	Fri 4/3/26						
Bid	20 days	Mon 4/6/26	Fri 5/1/26						
Construction	295 days	Mon 5/4/26	Fri 6/18/27						

RESOLUTION NO. 2025-069

A RESOLUTION ACCEPTING THE FEE PROPOSAL AND APPROVING ENTERING INTO A CONTRACT FOR ARCHITECTURAL SERVICES WITH PGAL FOR THE NEW MUNICIPAL COMPLEX; AND PROVIDING THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, The New Municipal Complex to be located on the site of the existing City Hall will hold the following City departments: Municipal Court, City Commission Chambers, City Marshals, Emergency Operations Center, Water Billing, Economic Development, Community Development, Facilities Management, Dispatch and Administration to include Finance, Human Resources, Innovation & Technology, Communications, City Secretary, Mayor and Mayor's staff, Management Services, Municipal Services, Purchasing, and Payroll. The new complex, consisting of a two-story building with an adjacent one-story building, will be designed large enough to accommodate the projected staffing needs through 2035; and

WHEREAS, PGAL provided a fixed fee proposal which was reviewed and negotiated to include the following services: Schematic Design, Design Development, Construction Documents, Bidding, Permitting and Construction Administration, and sub-consultants included in Basic Services to include structural, mechanical, electrical and plumbing, windstorm, civil, landscaping/irrigation, technology, third party civil review, MEP commissioning, and accessibility review & inspection. The proposed fixed fee is \$2,893,150 with a recommended budget of \$100,000 for reimbursable expenses. The construction budget is estimated at \$41,500,000. The project duration is estimated to be 23 to 33 months.

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

SECTION 1: The City Commission accepts the fee proposal and approves entering into a contract for architectural services with PGAL for the New Municipal Complex.

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

PASSED AND ADOPTED this 2nd day of July 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: 07/02/2025

Resolution No. 2025-070 to accept the fee proposal and approve entering into a contract for architectural services with Joiner Architects for the New Firestation No. 5

Submitted For: Dj Hutchinson, Public Works

Submitted By: Dj Hutchinson, Public Works

Department: Public Works

Information

ACTION REQUEST

Accept the fee proposal and approve entering into a contract for architectural services with Joiner Architects for the New Fire Station No. 5. For more proposal details. (See Exhibits A thru C)

BACKGROUND (Brief Summary)

The design and construction of Fire Station No. 5 is a Building for the Future Project. The City requested and reviewed statements of qualifications from qualified architects for a full-service contract to provide architectural design services for the new fire station. The SOQ's were evaluated and Joiner Architects was selected for contract negotiation based upon years of experience with the design and construction of fire stations, including previous experience with Texas City in the construction of Fire Station No. 4. Joiner provided a fixed fee proposal which was reviewed and negotiated to include the following services: Schematic Design, Design Development, Construction Documents, Bidding, Permitting and Construction Administration, and sub-consultants included in Basic Services to include structural, mechanical, electrical and plumbing, windstorm, civil, landscaping/irrigation, technology, third party civil review, MEP commissioning, and accessibility review & inspection. The proposed fixed fee is not to exceed \$739,700.00, based on the current construction scope and estimated cost of \$7,500,000. The project duration is estimated to be 26 to 37 months.

RECOMMENDATION

Staff including the Fire Chief recommend acceptance of the fee proposal and approval of entering into a contract for architectural services with Joiner Architects for the New Fire Station No. 5.

Fiscal Impact

Attachments

Exhibit A
Exhibit B
Exhibit C
Resolution



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Texas City Fire Station No. 5 - Exhibit A

6/24/25

Architectural (Joiner)	\$373,100.00
Programming Phase	\$18,600.00
Schematic Design Phase	\$37,350.00
Design Development Phase	\$74,650.00
Construction Document Phase (25% Completion)	\$37,300.00
Construction Document Phase (50% Completion)	\$37,300.00
Construction Document Phase (75% Completion)	\$37,300.00
Construction Document Phase (100% Completion)	\$37,300.00
Bid Phase	\$18,650.00
Construction Administration Phase	\$56,000.00
Project Close-Out Phase	\$18,650.00
MEP Engineering (DBR)	\$101,275.00
Programming Phase	\$4,380.00
Schematic Design Phase	\$10,790.00
Design Development Phase	\$20,260.00
Construction Document Phase (25% Completion)	\$11,360.00
Construction Document Phase (50% Completion)	\$11,410.00
Construction Document Phase (75% Completion)	\$11,410.00
Construction Document Phase (100% Completion)	\$11,410.00
Bid Phase	\$5,035.00
Construction Administration Phase	\$10,170.00
Project Close-Out Phase	\$5,050.00
Structural Engineering (Matrix)	\$50,625.00
Programming Phase	\$1,590.00
Schematic Design Phase	\$6,040.00
Design Development Phase	\$10,190.00
Construction Document Phase (25% Completion)	\$5,125.00
Construction Document Phase (50% Completion)	\$5,125.00
Construction Document Phase (75% Completion)	\$5,125.00
Construction Document Phase (100% Completion)	\$5,125.00
Bid Phase	\$2,475.00
Construction Administration Phase	\$8,595.00
Project Close-Out Phase	\$1,235.00
Civil Engineering (Dunaway)	\$106,700.00
Programming Phase	\$3,700.00
Schematic Design Phase	\$7,400.00
Design Development Phase	\$9,300.00
Construction Document Phase (25% Completion)	\$16,400.00
Construction Document Phase (50% Completion)	\$16,400.00
Construction Document Phase (75% Completion)	\$16,400.00
Construction Document Phase (100% Completion)	\$23,500.00
Bid Phase	\$2,800.00
Construction Administration Phase	\$7,100.00
Project Close-Out Phase	\$3,700.00
Civil Engineering 3rd Party Review (ARKK)	\$17,750.00
Irrigation & Landscape Architecture (Dunaway)	\$30,000.00
Technology Engineering (DBR)	\$25,750.00
MEP System Commissioning (DBR)	\$20,000.00
Accessibility Review & Inspection (ACI)	\$2,000.00
Windstorm Engineering (Fitz & Shipman)	\$7,500.00
Reimbursables (Joiner)	\$5,000.00
TOTAL:	\$739,700.00



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Texas City Fire Station No. 5 - Exhibit B

6/24/25

Architectural (Joiner)				
Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$1,350.00	9.00
	CAD/Technical	\$250	\$3,250.00	13.00
	Architectural/Team Leader	\$300	\$8,400.00	28.00
	Partner	\$350	\$5,600.00	16.00
	TOTAL		\$18,600.00	66.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$5,250.00	35.00
	CAD/Technical	\$250	\$13,750.00	55.00
	Architectural/Team Leader	\$300	\$9,600.00	32.00
	Partner	\$350	\$8,750.00	25.00
	TOTAL		\$37,350.00	147.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$10,650.00	71.00
	CAD/Technical	\$250	\$28,000.00	112.00
	Architectural/Team Leader	\$300	\$19,200.00	64.00
	Partner	\$350	\$16,800.00	48.00
	TOTAL		\$74,650.00	295.00
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$1,650.00	11.00
	CAD/Technical	\$250	\$3,000.00	12.00
	Architectural/Team Leader	\$300	\$8,400.00	28.00
	Partner	\$350	\$5,600.00	16.00
	TOTAL		\$18,650.00	67.00
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$3,600.00	24.00
	CAD/Technical	\$250	\$6,000.00	24.00
	Architectural/Team Leader	\$300	\$24,000.00	80.00
	Partner	\$350	\$22,400.00	64.00
	TOTAL		\$56,000.00	192.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$1,650.00	11.00
	CAD/Technical	\$250	\$3,000.00	12.00
	Architectural/Team Leader	\$300	\$8,400.00	28.00
	Partner	\$350	\$5,600.00	16.00
	TOTAL		\$18,650.00	67.00
TOTAL			\$373,100.00	



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Texas City Fire Station No. 5 - Exhibit B

6/24/25

MEP Engineering (DBR)

Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$210.00	2.00
	Designer I	\$130	\$1,560.00	12.00
	Designer II	\$150	\$750.00	5.00
	Project Manager	\$190	\$760.00	4.00
	Partner	\$300	\$900.00	3.00
	TOTAL		\$4,380.00	28.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$400.00	4.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$3,120.00	24.00
	Designer II	\$150	\$1,500.00	10.00
	Project Manager	\$190	\$3,040.00	16.00
	Partner	\$300	\$2,100.00	7.00
	TOTAL		\$10,790.00	67.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$350.00	3.50
	CAD/BIM/Technical	\$105	\$420.00	4.00
	Designer I	\$130	\$9,750.00	75.00
	Designer II	\$150	\$5,250.00	35.00
	Project Manager	\$190	\$2,090.00	11.00
	Partner	\$300	\$2,400.00	8.00
	TOTAL		\$20,260.00	136.50
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$150.00	1.50
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,360.00	74.50
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,410.00	75.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,410.00	75.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,410.00	75.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$150.00	1.50
	CAD/BIM/Technical	\$105	\$105.00	1.00
	Designer I	\$130	\$2,600.00	20.00
	Designer II	\$150	\$1,200.00	8.00
	Project Manager	\$190	\$380.00	2.00
	Partner	\$300	\$600.00	2.00
	TOTAL		\$5,035.00	34.50
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$400.00	4.00
	CAD/BIM/Technical	\$105	\$105.00	1.00
	Designer I	\$130	\$1,755.00	13.50
	Designer II	\$150	\$2,100.00	14.00
	Construction Administrator	\$150	\$2,100.00	14.00
	Project Manager	\$190	\$2,660.00	14.00
	Partner	\$300	\$1,050.00	3.50
	TOTAL		\$10,170.00	64.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$350.00	3.50
	Construction Administrator	\$150	\$3,750.00	25.00
	Project Manager	\$190	\$950.00	5.00
	TOTAL		\$5,050.00	33.50
MEP Engineering Subtotal			\$101,275.00	
Commissioning	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$800.00	8.00
	Commissioning Agent	\$160	\$19,200.00	120.00
	TOTAL		\$20,000.00	128.00
Technology	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$1,000.00	10.00
	Designer II	\$150	\$24,750.00	165.00
	TOTAL		\$25,750.00	175.00
TOTAL				
TOTAL			\$147,025.00	



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Texas City Fire Station No. 5 - Exhibit B

6/24/25

Structural Engineering (Matrix)

Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$175.00	1.00
	Project Manager	\$230	\$690.00	3.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$1,590.00	7.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$875.00	5.00
	Project Engineer	\$180	\$720.00	4.00
	Project Manager	\$230	\$2,760.00	12.00
	Principal	\$320	\$1,600.00	5.00
	TOTAL		\$6,040.00	27.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$170.00	2.00
	CAD/BIM/Technical	\$175	\$1,750.00	10.00
	Project Engineer	\$180	\$1,800.00	10.00
	Project Manager	\$230	\$3,910.00	17.00
	Principal	\$320	\$2,560.00	8.00
	TOTAL		\$10,190.00	47.00
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,050.00	6.00
	Project Engineer	\$180	\$720.00	4.00
	Project Manager	\$230	\$460.00	2.00
	Principal	\$320	\$160.00	0.50
	TOTAL		\$2,475.00	13.50
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$170.00	2.00
	CAD/BIM/Technical	\$175	\$1,225.00	7.00
	Project Engineer	\$180	\$4,860.00	27.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$960.00	3.00
	TOTAL		\$8,595.00	45.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$170.00	2.00
	CAD/BIM/Technical	\$175	\$525.00	3.00
	Project Engineer	\$180	\$540.00	3.00
	TOTAL		\$1,235.00	8.00
TOTAL			\$50,625.00	

JOINER ARCHITECTS

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Texas City Fire Station No. 5 - Exhibit B

6/24/25

Civil Engineering (Dunaway)				
Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$0.00	0.00
	Graduate Engineer II	\$175	\$700.00	4.00
	Discipline Lead II	\$225	\$1,800.00	8.00
	TOTAL		\$3,700.00	22.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,560.00	13.00
	Civil Technician II	\$130	\$1,040.00	8.00
	Graduate Engineer II	\$175	\$2,100.00	12.00
	Discipline Lead II	\$225	\$2,700.00	12.00
	TOTAL		\$7,400.00	45.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$2,600.00	20.00
	Graduate Engineer II	\$175	\$2,800.00	16.00
	Discipline Lead II	\$225	\$2,700.00	12.00
	TOTAL		\$9,300.00	58.00
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,320.00	11.00
	Civil Technician II	\$130	\$5,980.00	46.00
	Graduate Engineer II	\$175	\$5,950.00	34.00
	Discipline Lead II	\$225	\$3,150.00	14.00
	TOTAL		\$16,400.00	105.00
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,320.00	11.00
	Civil Technician II	\$130	\$5,980.00	46.00
	Graduate Engineer II	\$175	\$5,950.00	34.00
	Discipline Lead II	\$225	\$3,150.00	14.00
	TOTAL		\$16,400.00	105.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,320.00	11.00
	Civil Technician II	\$130	\$5,980.00	46.00
	Graduate Engineer II	\$175	\$5,950.00	34.00
	Discipline Lead II	\$225	\$3,150.00	14.00
	TOTAL		\$16,400.00	105.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$5,280.00	44.00
	Civil Technician II	\$130	\$7,020.00	54.00
	Graduate Engineer II	\$175	\$6,475.00	37.00
	Discipline Lead II	\$225	\$4,725.00	21.00
	TOTAL		\$23,500.00	156.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$0.00	0.00
	Graduate Engineer II	\$175	\$700.00	4.00
	Discipline Lead II	\$225	\$900.00	4.00
	TOTAL		\$2,800.00	18.00
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$1,300.00	10.00
	Graduate Engineer II	\$175	\$2,800.00	16.00
	Discipline Lead II	\$225	\$1,800.00	8.00
	TOTAL		\$7,100.00	44.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$0.00	0.00
	Graduate Engineer II	\$175	\$700.00	4.00
	Discipline Lead II	\$225	\$1,800.00	8.00
	TOTAL		\$3,700.00	22.00
Civil Engineering Subtotal			\$106,700.00	
Irrigation & Landscape Architecture	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$5,760.00	48.00
	Civil Technician II	\$130	\$8,840.00	68.00
	Graduate Engineer II	\$175	\$9,100.00	52.00
	Discipline Lead II	\$225	\$6,300.00	28.00
	TOTAL		\$30,000.00	196.00
TOTAL			\$136,700.00	



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June 24, 2025

Ms. Kimberly O. Golden, P.E.
Engineering & Planning, City Engineer, Director
City of Texas City, Texas
7800 Emmett F. Lowry Expy
Texas City, TX 77591

RE: CITY OF TEXAS CITY FIRE STATION NO. 5 PROPOSAL FOR PROFESSIONAL SERVICES

Dear Ms. Golden,

Thank you for the opportunity to submit this proposal for professional services. We greatly appreciate it. Joiner Architects, Inc., the Architect, is pleased to provide this proposal to the City of Texas City, the Client, for professional services for the above-mentioned project. The following are our proposed Scope of Services based on our understanding of the Project Description:

Project Description:

Construction of an approximately 10,000 sq. ft. two-bay fire station similar to the existing Texas City Fire Station No. 3. The station will include a generator, sleeping rooms, restrooms with showers, laundry facilities, kitchen & dining area, dayroom, offices, exercise room, exterior patio, and two drive through apparatus bays with ancillary support spaces. The station will support the separation of dirty/clean areas for firefighter health, which will include showers, restrooms, and decontamination areas. The site location has yet to be determined, but we understand it will be a 2 to 5-acre site in the vicinity of FM 2004 and the GCWA canal. Many of the site design elements are assumed at this time.

Scope of Basic Services:

1. Discuss programmatic requirements and prepare a Schematic Design package outlining the proposed general scope of work, including a site plan, floor plan, exterior elevations, program of spaces, schedule, and estimate of probable cost.
2. Generate a Design Development package further clarifying the proposed scope of work, including an updated site plan, floor plan, roof plan, reflected ceiling plan, exterior renderings, engineering narratives for building systems, updated program of spaces, schedule, and refined estimate of probable cost.
3. Prepare construction documents (plans and specifications) for the purpose of permitting, bidding, and construction.
4. Facilitate the General Contractor selection process.
5. Provide construction administration services throughout construction and the one-year warranty period.
6. The following consultants shall be included in Basic Services: structural, mechanical, electrical, and plumbing. Consultants under Supplemental Services include: windstorm, civil, landscaping/irrigation, technology, third party civil review, MEP commissioning, and accessibility review & inspection. See Exhibit A for a complete breakdown.



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Reimbursable Expenses:

Printing costs shall be paid by Architect and reimbursed by Client. An estimate has been included in this proposal, and shall not be exceeded without Client's approval.

Anticipated Schedule:

- Project Initiation: June 2025
- Finalize Contract: July 2025
- Complete Schematic Design: August 2025
- Complete Design Development: October 2025
- Complete Construction Documents: March 2026
- Complete Bidding & Permitting: April 2026
- Begin Construction: May 2026
- Complete Construction: May 2027
- Project Closed Out: August 2027

Service Exclusions:

The following items were not considered when determining the Compensation for this proposal and shall result in additional service charges if requested or required:

1. Property surveying and/or platting.
2. Underground stormwater detention system design. It is assumed that onsite above ground detention will be provided.
3. Floodplain mitigation. It is assumed the selected site is outside of the 100-year floodplain and there are no wetlands onsite.
4. Design of training tower and/or training props.
5. Design of radio tower.
6. Design of fuel storage tanks (this service to be provided by the Subcontractor as part of construction per State requirements if required).
7. Design of fire sprinkler system (this service to be provided by the Subcontractor as part of construction per State requirements).
8. LEED (Leadership in Energy and Environmental Design) Certification.
9. Fees associated with site and building plan checking and permitting (City, County, TXDOT, or any authority having jurisdiction, other than TAS review/inspection).
10. Fees associated with utility service connections/taps/impacts/extensions.
11. Environmental assessments/studies including geotechnical investigations.
12. Third party photographic construction documentation.
13. Third party coordination/permitting for onsite pipelines.
14. Post-design site surveying and elevation certificates.
15. Traffic impact analysis.
16. Traffic signal design.
17. Construction material testing.
18. HVAC system testing & balancing.
19. Roofing and/or building envelope waterproofing consultant.
20. Any third-party consultant not indicated herein.
21. Increase in project scope that increases the Anticipated Construction Cost by 10% or greater.



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Anticipated Budget:

Total Project Cost: \$14,100,000

Anticipated Construction Cost: \$7,500,000

Compensation:

Based on the above Scope of Basic Services, Supplemental Services, and Reimbursable Expenses, we are proposing a lump-sum not to exceed fee of **\$739,700.00 (seven hundred thirty-nine thousand, seven hundred dollars and zero cents)**. See attached Exhibits A & B for our fee breakdown.

Additional Services Schedule of Hourly Fees:

Administrative	\$150.00
Design Professional/CAD Operator	\$250.00
Project Architect/Technical Lead	\$300.00
Principal	\$350.00

Please feel free to contact me if you have any questions pertaining to this proposal. We look forward to working with you and completing another successful project for Texas City!

Sincerely,

A handwritten signature in black ink, appearing to read "Joby M. Copley", with a stylized flourish at the end.

Joby M. Copley, AIA
Partner

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Texas City Fire Station No. 5 - Exhibit A

6/24/25

Architectural (Joiner)	\$373,100.00
Programming Phase	\$18,600.00
Schematic Design Phase	\$37,350.00
Design Development Phase	\$74,650.00
Construction Document Phase (25% Completion)	\$37,300.00
Construction Document Phase (50% Completion)	\$37,300.00
Construction Document Phase (75% Completion)	\$37,300.00
Construction Document Phase (100% Completion)	\$37,300.00
Bid Phase	\$18,650.00
Construction Administration Phase	\$56,000.00
Project Close-Out Phase	\$18,650.00
MEP Engineering (DBR)	\$101,275.00
Programming Phase	\$4,380.00
Schematic Design Phase	\$10,790.00
Design Development Phase	\$20,260.00
Construction Document Phase (25% Completion)	\$11,360.00
Construction Document Phase (50% Completion)	\$11,410.00
Construction Document Phase (75% Completion)	\$11,410.00
Construction Document Phase (100% Completion)	\$11,410.00
Bid Phase	\$5,035.00
Construction Administration Phase	\$10,170.00
Project Close-Out Phase	\$5,050.00
Structural Engineering (Matrix)	\$50,625.00
Programming Phase	\$1,590.00
Schematic Design Phase	\$6,040.00
Design Development Phase	\$10,190.00
Construction Document Phase (25% Completion)	\$5,125.00
Construction Document Phase (50% Completion)	\$5,125.00
Construction Document Phase (75% Completion)	\$5,125.00
Construction Document Phase (100% Completion)	\$5,125.00
Bid Phase	\$2,475.00
Construction Administration Phase	\$8,595.00
Project Close-Out Phase	\$1,235.00
Civil Engineering (Dunaway)	\$106,700.00
Programming Phase	\$3,700.00
Schematic Design Phase	\$7,400.00
Design Development Phase	\$9,300.00
Construction Document Phase (25% Completion)	\$16,400.00
Construction Document Phase (50% Completion)	\$16,400.00
Construction Document Phase (75% Completion)	\$16,400.00
Construction Document Phase (100% Completion)	\$23,500.00
Bid Phase	\$2,800.00
Construction Administration Phase	\$7,100.00
Project Close-Out Phase	\$3,700.00
Civil Engineering 3rd Party Review (ARKK)	\$17,750.00
Irrigation & Landscape Architecture (Dunaway)	\$30,000.00
Technology Engineering (DBR)	\$25,750.00
MEP System Commissioning (DBR)	\$20,000.00
Accessibility Review & Inspection (ACI)	\$2,000.00
Windstorm Engineering (Fitz & Shipman)	\$7,500.00
Reimbursables (Joiner)	\$5,000.00
TOTAL:	\$739,700.00



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Texas City Fire Station No. 5 - Exhibit B

6/24/25

Architectural (Joiner)				
Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$1,350.00	9.00
	CAD/Technical	\$250	\$3,250.00	13.00
	Architectural/Team Leader	\$300	\$8,400.00	28.00
	Partner	\$350	\$5,600.00	16.00
	TOTAL		\$18,600.00	66.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$5,250.00	35.00
	CAD/Technical	\$250	\$13,750.00	55.00
	Architectural/Team Leader	\$300	\$9,600.00	32.00
	Partner	\$350	\$8,750.00	25.00
	TOTAL		\$37,350.00	147.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$10,650.00	71.00
	CAD/Technical	\$250	\$28,000.00	112.00
	Architectural/Team Leader	\$300	\$19,200.00	64.00
	Partner	\$350	\$16,800.00	48.00
	TOTAL		\$74,650.00	295.00
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$2,100.00	14.00
	CAD/Technical	\$250	\$30,000.00	120.00
	Architectural/Team Leader	\$300	\$2,400.00	8.00
	Partner	\$350	\$2,800.00	8.00
	TOTAL		\$37,300.00	150.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$1,650.00	11.00
	CAD/Technical	\$250	\$3,000.00	12.00
	Architectural/Team Leader	\$300	\$8,400.00	28.00
	Partner	\$350	\$5,600.00	16.00
	TOTAL		\$18,650.00	67.00
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$3,600.00	24.00
	CAD/Technical	\$250	\$6,000.00	24.00
	Architectural/Team Leader	\$300	\$24,000.00	80.00
	Partner	\$350	\$22,400.00	64.00
	TOTAL		\$56,000.00	192.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$150	\$1,650.00	11.00
	CAD/Technical	\$250	\$3,000.00	12.00
	Architectural/Team Leader	\$300	\$8,400.00	28.00
	Partner	\$350	\$5,600.00	16.00
	TOTAL		\$18,650.00	67.00
TOTAL			\$373,100.00	



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Texas City Fire Station No. 5 - Exhibit B

6/24/25

MEP Engineering (DBR)

Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$210.00	2.00
	Designer I	\$130	\$1,560.00	12.00
	Designer II	\$150	\$750.00	5.00
	Project Manager	\$190	\$760.00	4.00
	Partner	\$300	\$900.00	3.00
	TOTAL		\$4,380.00	28.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$400.00	4.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$3,120.00	24.00
	Designer II	\$150	\$1,500.00	10.00
	Project Manager	\$190	\$3,040.00	16.00
	Partner	\$300	\$2,100.00	7.00
	TOTAL		\$10,790.00	67.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$350.00	3.50
	CAD/BIM/Technical	\$105	\$420.00	4.00
	Designer I	\$130	\$9,750.00	75.00
	Designer II	\$150	\$5,250.00	35.00
	Project Manager	\$190	\$2,090.00	11.00
	Partner	\$300	\$2,400.00	8.00
	TOTAL		\$20,260.00	136.50
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$150.00	1.50
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,360.00	74.50
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,410.00	75.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,410.00	75.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$200.00	2.00
	CAD/BIM/Technical	\$105	\$630.00	6.00
	Designer I	\$130	\$4,550.00	35.00
	Designer II	\$150	\$2,250.00	15.00
	Project Manager	\$190	\$2,280.00	12.00
	Partner	\$300	\$1,500.00	5.00
	TOTAL		\$11,410.00	75.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$150.00	1.50
	CAD/BIM/Technical	\$105	\$105.00	1.00
	Designer I	\$130	\$2,600.00	20.00
	Designer II	\$150	\$1,200.00	8.00
	Project Manager	\$190	\$380.00	2.00
	Partner	\$300	\$600.00	2.00
	TOTAL		\$5,035.00	34.50
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$400.00	4.00
	CAD/BIM/Technical	\$105	\$105.00	1.00
	Designer I	\$130	\$1,755.00	13.50
	Designer II	\$150	\$2,100.00	14.00
	Construction Administrator	\$150	\$2,100.00	14.00
	Project Manager	\$190	\$2,660.00	14.00
	Partner	\$300	\$1,050.00	3.50
	TOTAL		\$10,170.00	64.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$350.00	3.50
	Construction Administrator	\$150	\$3,750.00	25.00
	Project Manager	\$190	\$950.00	5.00
	TOTAL		\$5,050.00	33.50
MEP Engineering Subtotal			\$101,275.00	
Commissioning	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$800.00	8.00
	Commissioning Agent	\$160	\$19,200.00	120.00
	TOTAL		\$20,000.00	128.00
Technology	Staff	Rate/HR	Fee	Hours
	Administrative	\$100	\$1,000.00	10.00
	Designer II	\$150	\$24,750.00	165.00
	TOTAL		\$25,750.00	175.00
TOTAL				
TOTAL			\$147,025.00	



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Texas City Fire Station No. 5 - Exhibit B

6/24/25

Structural Engineering (Matrix)

Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$175.00	1.00
	Project Manager	\$230	\$690.00	3.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$1,590.00	7.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$875.00	5.00
	Project Engineer	\$180	\$720.00	4.00
	Project Manager	\$230	\$2,760.00	12.00
	Principal	\$320	\$1,600.00	5.00
	TOTAL		\$6,040.00	27.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$170.00	2.00
	CAD/BIM/Technical	\$175	\$1,750.00	10.00
	Project Engineer	\$180	\$1,800.00	10.00
	Project Manager	\$230	\$3,910.00	17.00
	Principal	\$320	\$2,560.00	8.00
	TOTAL		\$10,190.00	47.00
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,400.00	8.00
	Project Engineer	\$180	\$1,620.00	9.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$640.00	2.00
	TOTAL		\$5,125.00	26.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$85.00	1.00
	CAD/BIM/Technical	\$175	\$1,050.00	6.00
	Project Engineer	\$180	\$720.00	4.00
	Project Manager	\$230	\$460.00	2.00
	Principal	\$320	\$160.00	0.50
	TOTAL		\$2,475.00	13.50
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$170.00	2.00
	CAD/BIM/Technical	\$175	\$1,225.00	7.00
	Project Engineer	\$180	\$4,860.00	27.00
	Project Manager	\$230	\$1,380.00	6.00
	Principal	\$320	\$960.00	3.00
	TOTAL		\$8,595.00	45.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative	\$85	\$170.00	2.00
	CAD/BIM/Technical	\$175	\$525.00	3.00
	Project Engineer	\$180	\$540.00	3.00
	TOTAL		\$1,235.00	8.00
TOTAL			\$50,625.00	



700 Rockmead, Ste 265 | Kingwood, TX 77339 | 281.359.6401
2600 S. Shore Blvd, Ste 300 | League City, TX 77573 | 281.245.3304

Texas City Fire Station No. 5 - Exhibit B

6/24/25

Civil Engineering (Dunaway)				
Programming Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$0.00	0.00
	Graduate Engineer II	\$175	\$700.00	4.00
	Discipline Lead II	\$225	\$1,800.00	8.00
	TOTAL		\$3,700.00	22.00
Schematic Design Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,560.00	13.00
	Civil Technician II	\$130	\$1,040.00	8.00
	Graduate Engineer II	\$175	\$2,100.00	12.00
	Discipline Lead II	\$225	\$2,700.00	12.00
	TOTAL		\$7,400.00	45.00
Design Development Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$2,600.00	20.00
	Graduate Engineer II	\$175	\$2,800.00	16.00
	Discipline Lead II	\$225	\$2,700.00	12.00
	TOTAL		\$9,300.00	58.00
Construction Document Phase (25% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,320.00	11.00
	Civil Technician II	\$130	\$5,980.00	46.00
	Graduate Engineer II	\$175	\$5,950.00	34.00
	Discipline Lead II	\$225	\$3,150.00	14.00
	TOTAL		\$16,400.00	105.00
Construction Document Phase (50% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,320.00	11.00
	Civil Technician II	\$130	\$5,980.00	46.00
	Graduate Engineer II	\$175	\$5,950.00	34.00
	Discipline Lead II	\$225	\$3,150.00	14.00
	TOTAL		\$16,400.00	105.00
Construction Document Phase (75% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,320.00	11.00
	Civil Technician II	\$130	\$5,980.00	46.00
	Graduate Engineer II	\$175	\$5,950.00	34.00
	Discipline Lead II	\$225	\$3,150.00	14.00
	TOTAL		\$16,400.00	105.00
Construction Document Phase (100% Completion)	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$5,280.00	44.00
	Civil Technician II	\$130	\$7,020.00	54.00
	Graduate Engineer II	\$175	\$6,475.00	37.00
	Discipline Lead II	\$225	\$4,725.00	21.00
	TOTAL		\$23,500.00	156.00
Bid Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$0.00	0.00
	Graduate Engineer II	\$175	\$700.00	4.00
	Discipline Lead II	\$225	\$900.00	4.00
	TOTAL		\$2,800.00	18.00
Construction Administration Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$1,300.00	10.00
	Graduate Engineer II	\$175	\$2,800.00	16.00
	Discipline Lead II	\$225	\$1,800.00	8.00
	TOTAL		\$7,100.00	44.00
Project Closeout Phase	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$1,200.00	10.00
	Civil Technician II	\$130	\$0.00	0.00
	Graduate Engineer II	\$175	\$700.00	4.00
	Discipline Lead II	\$225	\$1,800.00	8.00
	TOTAL		\$3,700.00	22.00
Civil Engineering Subtotal			\$106,700.00	
Irrigation & Landscape Architecture	Staff	Rate/HR	Fee	Hours
	Administrative/Planning	\$120	\$5,760.00	48.00
	Civil Technician II	\$130	\$8,840.00	68.00
	Graduate Engineer II	\$175	\$9,100.00	52.00
	Discipline Lead II	\$225	\$6,300.00	28.00
	TOTAL		\$30,000.00	196.00
TOTAL			\$136,700.00	

RESOLUTION NO. 2025-070

A RESOLUTION ACCEPTING THE FEE PROPOSAL AND APPROVING ENTERING INTO A CONTRACT FOR ARCHITECTURAL SERVICES WITH JOINER ARCHITECTS FOR THE DEVELOPMENT OF FIRE STATION NO. 5; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City requested and reviewed statements of qualifications from qualified architects for a full-service contract to provide architectural design services for the new fire station. The SOQ's were evaluated, and Joiner Architects was selected for contract negotiation based upon years of experience with the design and construction of fire stations, including previous experience with Texas City in the construction of Fire Station No. 4; and

WHEREAS, Joiner provided a fixed fee proposal which was reviewed and negotiated to include the following services: Schematic Design, Design Development, Construction Documents, Bidding, Permitting and Construction Administration, and sub-consultants included in Basic Services to include structural, mechanical, electrical and plumbing, windstorm, civil, landscaping/irrigation, technology, third party civil review, MEP commissioning, and accessibility review & inspection. The proposed fixed fee is not to exceed \$739,700.00, based on the current construction scope and estimated cost of \$7,500,000. The project duration is estimated to be 26 to 37 months.

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 hereby accepts the fee proposal and approves entering into a contract for architectural services with Joiner Architects for the New Fire Station No. 5.

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

PASSED AND ADOPTED this 2nd day of July 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) (e)

Meeting Date: 07/02/2025

Consider and take action on first reading of Ordinance 2025-06 to amend 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

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. (City Engineer)

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 Street 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 installations were found to be 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

On March 25, 2025, the Zoning Commission voted to recommend the amendment to Section 160.051 to designate District SP Site Plan as the zoning district for Battery Energy Storage Systems and similar projects. Staff recommends 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

Final Draft Ordinance - 6.25.2025

Minutes

ORDINANCE NO. 2025-06

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 Zoning Commission have reviewed and recommended the amendment to 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 at a meeting held on March 25, 2025; 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, changing technologies 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. This distance may be increased or reduced by the City Commission upon recommendation from the Planning Board and Zoning Commission.

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 2nd day of July, 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED ON SECOND READING this 16th day of July 2025.

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

ATTEST:

Rhomari D. Leigh
City Secretary

PASSED AND FINALLY ADOPTED this 6th day of August 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-XX
Texas City Code of Ordinances
Title XV Land Usage
Chapter 162 Battery Energy Storage Systems
Final Draft 6.25.2025

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 proposed, 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 charge from the electrical grid or other generating source, typically when there is excess low cost electrical power available, store it in a series of batteries and then discharge when demand is high or supply is low. The rate paid for providing the power back to the grid during the periods of high demand/low supply will typically be more than the rate paid for the power used to charge the batteries.
2. **Energy Management System (EMS)** means a software solution designed to interact with the grid and manage the actions and performance of the BESS. EMS also provides remote oversight via SCADA of the project, including monitoring and status of alarms and provides analytics on the state of health and condition of the battery systems. The EMS includes a Battery Management System (BMS).
3. **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 some predictive detection, of thermal runaway and its associated root causes.

4. ***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 necessary ancillary uses such as equipment storage and maintenance or service related facilities which are not permanently attended or 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. Preliminary plume study based upon general design standards and prevailing winds if requested by the Planning Board, Zoning Commission or City Commission as necessary to evaluate a site plan due to particular conditions of the site or surrounding areas. A final plume study based upon the actual design of the BESS may be required during the permitting process.
 6. Reimbursement Agreement for the payment of the City’s third party expert and deposit in amount determined by the Director of Engineering &

Planning.

7. Applicants shall provide contact information and the operational experience for each of the following: the developer/operator, equipment manufacturer, Engineer, system operator, insurance, and on-site operations and maintenance. Operational experience shall include any record of fire incidents with installations similar in type or kind to the project being proposed in the application.

8. Such other information as the City deems reasonably necessary to administer this Chapter.

e. 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. This distance may be increased or reduced by the City Commission upon recommendation from the Planning Board and Zoning Commission.
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.
 - c. A distance set by the City Commission upon recommendation from the Planning Board and Zoning Commission.
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 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.
10. ***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.
11. For sites located in remote currently undeveloped areas which do not have direct access to a paved public street but can provide paved access satisfactory to the Fire Marshal by recorded easement in form satisfactory to the City Engineer and City Attorney, the platting requirements of Section 159.050(D)(Street Frontage), Section 159.053 (Water System) and 159.054 (Sanitary Sewer) may be deferred by the City Commission, upon recommendation from the Planning Board and Zoning Commission until such time as other development commences in the area. This deferral shall not operate as a precedent for the waiver of these requirements for the BESS project or for any other purpose except the sole installation of an unmanned BESS. The deferral period may be ended by the City Commission based upon subsequent development and platting in the area. Upon such ending of the deferral period, the BESS owner shall satisfy the deferred requirements in a timely manner as determined by the City Commission upon no less than six (6) months written notice. Failure to satisfy the deferred requirements in an acceptable timeframe may result in revocation or non-renewal of the Certificate of Occupancy for the site.

f. Fire and life safety. BESS sites are required to meet, but are not limited to, the following applicable codes and standards as adopted by Texas City, including amendments and updates:

1. IFC and the listed NFPA references within the IFC including any and all local amendments.
2. NFPA 855 Standard for the Installation of Stationary Energy Storage Systems. The most current version adopted by the City shall apply.
3. Provide a environmental site plan that includes significant environmental features such as floodplain and watercourses and general description of proposed protective and firefighting water containment measures.

4. There shall be an enclosure-level air monitoring system for vapor detection to the satisfaction of the Fire Chief and Fire Marshal.
5. Make provision for fire protection and fire fighting water satisfactory to the Fire Marshal and TCFD Fire Chief. When connecting to public water supply, provide a water fire flow analysis at the permitting phase to ensure the existing water infrastructure including any improvements required to be made by Applicant can support the anticipated firefighting demands.
6. Provide the Fire Department with any requested or recommended equipment needed to monitor and test the air and water for any hazards at these sites during emergencies. All monitoring equipment satisfactory to the Fire Marshal and TCFD Fire Chief shall be provided to the Fire Department by the BESS owner prior to the delivery of the first BESS unit to the site and at any time thereafter when a need is reasonably identified by the Fire Department.
7. Provide annual training to the Fire Department and mutual aid agencies for hazards and responses related to the BESS systems.
8. Furnish all necessary firefighting equipment, related to the proposed BESS site, as requested by the Fire Marshal to the City's Fire Department prior to the delivery of the first BESS unit to the site and at any time thereafter when a need is reasonably identified by the Fire Department.
9. The fire command center and water supply should be situated at a safe distance from the closest BESS enclosure, based on deflagration data and satisfactory to the Fire Marshal.. At minimum, the 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. Landscaping and Screening. The BESS site shall comply with the following landscaping and screening requirements. Additional requirements may be imposed by the City Commission upon recommendation from the Planning Board and Zoning Commission.

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 unless the containers are shown to be compliant with the blast containment requirements of applicable codes and satisfactory to the Fire Marshal.
4. For projects visible from any public right of way which is not gateway, thoroughfare or public street, 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.
6. For sites located in currently undeveloped areas which are not visible from a gateway, thoroughfare, public street or public right of way, the City Commission, upon recommendation from the Planning Board and Zoning Commission may defer implementation of the requirement for landscaping until such time as development commences in the area. This deferral shall not operate as a precedent for the waiver of the landscaping requirements which may otherwise be applicable to development in the area. The deferral period may be ended by the Planning Board based upon development and platting in the area. Upon such ending of the deferral period, the BESS owner shall have six (6) months upon written notice to install the requisite landscaping. Failure to install the required landscaping may result in revocation or non-renewal of the Certificate of Occupancy for the site.

h. BESS Building Permit Application Requirements:

1. ***Building Permit Application Fee:*** Building permit fee to be assessed as Commercial Electric based upon valuation in accordance with fee schedule approved by City Commission.

2. ***Building Permit Application Requirements:*** The Chief Building Official with consultation from the Fire Marshall shall establish forms and guidelines for the BESS Building Permit Application. The Building Permit Application for a BESS site shall include the following information at minimum:

- i. Final Site Plan Drawing
- ii. Hazard Mitigation Analysis based on specific BESS equipment to be installed
- iii. Emergency Response Plan
- iv. Sound modeling, if required: (1) by the Planning Board, Zoning Commission or City Commission as a condition for approval of a Development Plan approval; or (2) by the Chief Building Official for a BESS site located within 500 feet of a property zoned or used for single-family use
- v. Plume Study, if required: (1) by the Planning Board, Zoning Commission or City Commission as a condition for approval of a Development Plan approval; or (2) by the Chief Building Official for a BESS site located within 500 feet of a property zoned or used for single-family use
- vi. Contact information and the operational experience for each of the following: the developer/operator, equipment manufacturer, Engineer of record, system operator, insurance, and operations and maintenance.

i. *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 TCFD, TCPD, Fire Marshal and Emergency Manager any others as may be required 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 smoke, heat, gas and other 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. Identify a process to manage BESS 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?

j. Noise. If a BESS site is located within 500 feet of a property zoned for single-family use, a noise study indicating that noise level shall not exceed an ambient level measured at the single-family property line may be required by the Planning Board, Zoning Commission or City Commission.

k. Plume Modeling. To determine the potential toxic risk to those in proximity to the BESS, including responding firefighters, a plume analysis may be required during the permitting process by the City based upon existing conditions at the site or surrounding area. When required by the City, 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. The City may in its discretion allow the BESS owner to commission the plume study required by this section.

l. 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 or any other critical nature 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.

m. 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.

n. 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
3. Provide technical assistance about the stationary energy storage system installation to the Fire Department and, in coordination with the BESS owner and/or 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.

o Site Reviews and Inspections

1. The City will contract with a qualified 3rd party expert with relevant knowledge and experience 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 at the time of Development Plan application for all costs incurred by the third-party expert for reviews and consultation with the City regarding the application. The Applicant shall 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. Any funds expended for reimbursement to the City for third party services may be applied as a credit or pre-payment against the building permit fee when the permit fee is collected by the Building Official.

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.

p. 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 with knowledge of the BESS operations must be on-site within one hour of any remote monitoring alert of a critical nature.
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 to provide for the health, safety and protection of the public will be at the cost of the BESS owner or and/or operator and/or property owner. (Hazardous materials company, Specialized fire equipment, encapsulating agent, air monitoring, or other city assets).

. 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.

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 by the BESS operator and by the City to ensure its structural integrity and legible to the satisfaction of the City and to determine if any additional information is required by the City.

s. *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 issuance of the Certificate of Occupancy or any 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.
 - b. If approved by the Mayor on a case by case basis, a bond, letter of credit or other financial security in the amount specified hereinabove in a form acceptable to the City Attorney and the City Engineer may be provided in lieu of a Decommissioning Bond.
 - c. The bond or other security shall remain fully enforceable and in effect so long as the BESS system exists at the site, without regard to whether it is operating or operational.

t. Agreement for Payment in Lieu of Taxes. 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. The agreement shall provide that if the value per square foot of the BESS project site set by the Galveston County Appraisal District is less than the average per square foot value of all commercial property located in Texas City, the BESS owner will make a payment in lieu of taxes to Texas City equal to the amount necessary to equal the ad valorem tax due to Texas City based upon a value equal to a fixed factor set by the Mayor multiplied by the average value per square foot of all commercial property located in Texas City multiplied by the square footage of the BESS project. The fixed factor set by the Mayor shall be stated in the PILOT Agreement and shall not be more than 1.25 or less than 1.0.

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 20% or more of ownership or operating control of the applicant, the BESS owner or the BESS operator, 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.

EXCERPT FROM ZONING COMMISSION MEETING HELD ON MARCH 25, 2025

The Zoning Commission of the City of Texas City met in a regular meeting on Tuesday, March 25, 2025, at 5:00 p.m. Zoning Commission members present were: Chairman Perry O'Brien, Co-Chairman Aric Owens, Commissioner Thelma Bowie, Alternate Lisa Salinas and Alternate David Zacherl. Staff members present were: Kim Golden (Secretary), Casey Bennett (Chief Building Official), David Kinchen (Deputy Building Official), Curt Kelly (Engineering & Planning Administrator), Veronica Carreon (Planning & Zoning Technician), Jason Brown (Fire Marshal). Guests were: Ron Stone, Jr., Patrick Tarpey, Bobbie Tarpey, Don Tarpey, Dennis Irby and Henry Gomez.

Chairman Perry O'Brien indicated a quorum was present and called the meeting to order.

(6) REGULAR ITEMS

- a. Consider and make recommendation regarding an amendment to the zoning ordinance to designate Battery Energy Storage Systems (BESS) and similar projects as a use restricted to Section 160.051 District "S-P" (Site Plan) and further providing therewith.

Ms. Golden stated this matter is being presented again because the City Commission meeting held on January 8th, 2025 was null and void. The actions that occurred there were held to be null and void which included the appointment of Alternate Member David Zacherl. Zacherl attended the February 18, 2025 Zoning Commission meeting as an alternate member and was a vote in favor. To avoid any issue with the validity of the Zoning Commission action, the matter is being brought back to the Zoning Commission again. No changes have been made to the proposed amendment to the Zoning Ordinance. Ms. Golden reiterated this was exactly the same thing that was presented at the meeting in February.

She stated they are talking with the representatives of projects that have presented concerns to the Commission and with BESS industry officials for additional input and tweaking to Chapter 162. There have been not objections made to the amendment to the Zoning Ordinance to make it a requirement for the BESS projects to be in District "S-P".

The Zoning Commission is required to make a recommendation about the proposed change to the zoning ordinance. Staff's recommendation is that the Zoning Commission recommend this change in the zoning ordinance to the City Commission to make the BESS and similar projects, exclusive to the District "S-P" (Site Plan).

This change will make it necessary for all of the BESS projects to go through the full process of review by the Planning Board, the Zoning Commission, and the City Commission, which will include at least two public hearings for opportunity to get site specific input from the public about each project as it is considered.

This change in the zoning ordinance would apply to any applications for BESS projects that are presented to the City after the ordinance is changed. This change to the ordinance is basically codifying the practice has been used for BESS projects for the last two years because under District "S-P", we have discretion when there are unique projects or new types of projects to handle them through District "S-P".

The Zoning Commission has in its agenda packets the minutes from the February 18th meeting which included the comments that were received at that previous public hearing from the projects and the industry representatives. Ms. Golden stated that if the Commission wanted her

to respond to any of those comments she would, but basically none of the comments were directed toward the change in the zoning ordinance.

Ms. Golden advised that in conversations with the project representatives after the February meeting, none of them had any issues with the proposed change to the zoning ordinance. There are some edits to consider in Chapter 162, for some clarification. Some provisions that are going to make it clear the City Commission has discretion to consider a number of factors when deciding about the zoning change, which is what the BESS projects have requested.

Ms. Golden stated one thing that she forgot to mention last time, when she was telling you all the folks they had talked to and who had helped them prepare this ordinance, staff consulted with TNMP about BESS projects in general. Staff confirmed directly from TNMP the benefit of these projects to the grid and now have a better understanding about how a project here in Texas City is of some benefit to Texas City. It does, in fact, support the entire system, but because of the way things are laid out, there is an enhancement and benefit to Texas City for the projects to be located in Texas City.

Co-Chairman Aric Owens stated that he sat in on the Community Action Committee. He understands the Spearmint project on Attwater Avenue is currently zoned heavy industrial. He asked to help him understand how they go from heavy industrial to site plan. He asked if this is still the same zoning change process?

Ms. Golden responded yes and again, it affords you the visibility about the project. Every project will be looked at like that.

Chairman O'Brien added that District "S-P" has been used for a variety of different things

Co-Chairman Owens replied this one is just very specific and when he looked at this, he just wants to make sure that these guys aren't spending as much money doing a site review for trying to find a place that they can't confirm to their desired use. He just wants to make sure he understood that was the process in using site plan.

Chairman O'Brien asked if that facility should go away what does that revert back to?

Ms. Golden responded the zoning designation would remain "S-P" but if the next person wanted to do anything different from the exact same project, they would have to come in and go through the process to rezone the site to whatever designation fit the next proposed use.

Co-Chairman Owens then stated he had another question. So, we have these decommissioned bonds that were required in this step - how do those work? Is it in the sense that they pre-fund that and it sits in an escrow account, or do they pay that annually? He doesn't know enough about these. For example, if he has a life insurance policy and he stops paying on it, does that policy go away? If these developers run into a situation where they're not making money and they become insolvent, but we've still got these assets on the ground, and they had a decommissioning bond at one point, do they keep funding that or do they fund that up front and then it is held in escrow? After that period when they get ready to vacate, either the city will have to cash that bond in to clean up the site, or they clean up and the city refunds or that bond goes away. How is that handled?

Ms. Golden responded there are ordinances which require similar conditions of surety. Pipeline permits require it. Oil and gas drilling permits require it. So, the fact that we're requiring a surety bond is not new. We're doing it already. Some other site plan development agreements, such as for sandpits have a requirement for surety. They can do it with a bond, but the city has also accepted cash deposits and letters of credit. The type of surety can be right sized to the situation.

Co-Chairman Owens asked what would the BESS ordinance require. Ms. Golden replied as

written the type of security would be worked out on a case-by-case basis. It will be worked out similar to the way the provisions in a development agreement are worked out. We currently do that with subdivisions. It's not an unusual process for cities to do that. And again, what the Zoning Commission is doing is balancing the interest of supporting the project with being sure that the interest of the city is protected, too. And you're wanting to right-size that rather than set in place, hard and fast one size fits all rule. As proposed, the ordinance will allow the City the flexibility to right-size these requirements to each project.

Spearmint in particular is pushing back on having to provide all the required submittals all at once at the beginning before they know if they can use the site. The intent and purpose of the ordinance is to align the submittal requirements with the pace of the project development so that as the applicants are developing their project, the information they have to develop to go to the next step aligns with what the city is requiring. So there will be the development plan stage, the building permit stage, and the certificate of occupancy stage. There will be submittal requirements at each one of those stages which the projects will already have based on the progression of the project.

Commissioner Bowie stated when the motion is read there are actually two recommendations. Can they be combined or do we need to make separate recommendations to vote on?

Ms. Golden referred to the staff report and clarified that the Zoning Commission is recommending approval of the specific text to be included as an amendment to the Zoning Ordinance which is the text that will be advertised in the newspaper.

As she mentioned last time, and as a reminder, because Mr. Owens wasn't in attendance - the only thing the Zoning Commission is voting on is the amendment to the zoning ordinance which is printed in the staff report. It will read that this will be handled as a District "S-P". It gives a few criteria in there. The Chapter 162 information, which has all the other requirements, the decommissioning and all that, is for the City Commission to consider. Chapter 162 is not a part of the Zoning Ordinance.

Chairman O'Brien asked if there were any other questions.

Ms. Golden wanted to note that the ordinance is coming to the Zoning Commission as a recommendation from her and from the city attorney, the Fire Marshal, the Building Officials and Emergency Management. The City's our third-party subject matter experts and outside legal counsel also participated in writing and recommending the ordinance. There was a lot of input obtained from industry including TNMP.

Chairman O'Brien added it is a tool that staff are recommending with a lot of effort and study going into its development. He asked what would be the other option without the tool.

Ms. Golden replied they would keep use the optional District SP process, but it would be on an ad-hoc basis and might not be as consistent from one administration to the next or as personnel changed. As volunteers on these boards they have asked for clarity from the City Commission about some of these things. This ordinance is the way the City Commission clear communicates to the boards and to staff that it wants the BESS projects to be handled as District "S-P". And then there's no question for the boards about how to proceed.

Co-Chairman Owens stated he had one more question. Do we look at them as size? As he recalled, the first BESS project approved was maybe four or five containers and now we've got this large project by the water plant. Does the city or the ordinance have a maximum of megawatts? Are they tiered? Are there some criteria to use as a guide?

Ms. Golden replied that staff have looked at ordinances that have been adopted by other cities in other states. There haven't been a lot, but there have been some. Some of the other places

that have been doing this for a while do have separate criteria based on the size. Texas City doesn't really have a need to parse it out like that at this time. Because it's in District "S-P" you have the flexibility to right-size it to whatever size project. So, if you've got 10 megawatts coming in then you can handle the requirements for that. If you've got 200 or 300 megawatts, then we can all look at it.

Co-Chairman Owens asked if it would be restricted based on the size of the property because they have to be spaced so far apart.

Ms. Golden replied that it would be looked at through the review process.

Chairman O'Brien asked what everyone thought. There were not further questions or comments.

A motion was made by Commissioner Thelma Bowie/Alternate David Zacherl to recommend an amendment to the zoning ordinance to designate Battery Energy Storage Systems (BESS) and similar projects as a use restricted to Section 160.051 District "S-P" (Site Plan) and further providing therewith. All other members present voted aye.

Chairman O'Brien asked if this recommendation to the City Commission would come in the form of a letter.

Ms. Golden replied that it would be presented in the minutes from this meeting and referenced in the staff report to the City Commission.