

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
LIMITED IN PERSON ATTENDANCE AVAILABLE
AGENDA –AUGUST 13, 2020 6:00 P.M.**

NOTICE is hereby given that, pursuant to Section 551.045 of the Texas Government Code and the March 16, 2020 order by the Governor of the State of Texas, the City Council will hold its regular meeting on Thursday, August 13, 2020 at 6:00 p.m., via teleconference in accordance with Governor Abbott's order.

This meeting notice, agenda and agenda packet are posted online at www.gonzales.texas.gov.

In accordance with Governor Abbott's Executive Order 29 issued on July 2, 2020 every person attending the meeting shall wear a face covering over the nose and mouth unless the person is under 10 years of age or has a medical condition or disability that prevents wearing a face covering.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings. The Governor has since clarified his intent and stated that citizens should be allowed to offer comments by other means.

In person attendance by the public will be limited to 14 which is 50% capacity of the room less Council Members and required staff and should be separated by at least six (6) feet from other groups attending the meeting together. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Citizens wishing to offer comments on the posted agenda items may email their comments at least two hours prior to the start of the meeting and the comments will be read into the record during the time allocated for citizen comments. Emails may be sent to citysecretary@gonzales.texas.gov and must include the name of the citizen

The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call in number: **1-844-854-2222**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

A recording of the telephone conference will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor
- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes. Individuals not able to attend due to space limitations may email the City Secretary at least two (2) hours prior to the meeting.

CONSENT AGENDA ITEMS

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

- 1.1 **Minutes** - Approval of the minutes for the July 9, 2020 Regular Meeting
- 1.2 Discuss, Consider & Possible Action on **Resolution #2020-70** Authorizing the Designation of Mayor Connie Kacir, City Manager Tim Patek, Finance Director Laura Zella and City Secretary Kristi Gilbert as Authorized Signatories and Removing All Others For All Accounts in the City of Gonzales' Name With All Financial Institutions
- 1.3 Discuss, Consider & Possible Action on **Resolution #2020-71** Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales

RESOLUTIONS, ORDINANCES AND COUNCIL ACTION

- 2.1 Discuss, Consider and Conduct the second of two (2) required readings of **Resolution #2020-72** for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code.
- 2.2 Discuss, Consider and Possible Action on **Ordinance #2020-15** Authorizing Budget Amendments for the 2019-2020 Fiscal Year
- 2.3 Discuss, Consider & Possible Action Approving **Resolution #2020-73** Taking a Record Vote on Setting the Preliminary Maximum Ad Valorem Tax Rate for Fiscal Year 2020-2021 and Scheduling a Public Hearing.
- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-74** Determining that an Area of the City Contains Conditions Which Are Detrimental to the Public Health, Safety and

Welfare of the Community and Constitutes a Blighted Area Under the Terms of the TxCDBG Program.

- 2.5 Conduct a Public Hearing to Discuss, Consider & Possible Action on **Resolution #2020-75** Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas Department of Agriculture for a grant of up to \$500,000 in TxCDBG Main Street grant funds for Infrastructure Improvements.
- 2.6 Discuss, Consider & Possible Action Approving **Resolution #2020-76** Authorizing the City Manager to Enter into an Agreement for Grant Writing and Administrative Services
- 2.7 Discuss, Consider & Possible Action Approving **Resolution 2020-77** Authorizing the City Manager to Enter into an Agreement for Environmental Services for the CDBG-DR Grant
- 2.8 Discuss, Consider & Possible Action on **Resolution #2020-78** Authorizing the City Manager to execute a license agreement with Michael Tuch for an unopened street between Lot No. 9, Range 10 and Lot No. 9, Range 11, East of Water Street, in the Original Outer Town of Gonzales.
- 2.9 Discuss, Consider & Possible Action Approving **Resolution #2020-79** Appointing a Citizen Representing District 3 to fill the unexpired term of Robert Ramirez on the Charter Review Commission Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.
- 2.10 Discuss, Consider & Possible Action Approving **Resolution #2020-80** Authorizing the Appointment of Two Council Members to the Golden Crescent Regional Planning Commission General Assembly from September 1, 2020 to August 31, 2021.
- 2.11 Discuss, Consider & Possible Action on designating a location(s) for the placement of interpretive panels.
- 2.12 Discuss, Consider & Possible Action Approving **Resolution #2020-81** Authorizing the City Manager to Execute Addendum Two to the Agreement with Guadalupe Valley Electric Cooperative for Power Supply Consulting Services to Solicit and Evaluate Request for Proposals from Qualified Market Participants
- 2.13 Discuss, Consider and Possible Action Approving **Ordinance #2020-16** Amending the General Election Order for the May 2, 2020 Election Postponed to November 3, 2020.

STAFF/BOARD REPORTS

- 3.1 Financial Report for the month of July 2020 and the third quarter of Fiscal Year 2019-2020.
- 3.2 City Manager, Tim Patek will update the City Council on the following: district clean-ups and development regulation amendments

CLOSED SESSION

4.1(a) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter”, to include the following matters:

1. In Re Estate of J. B. Wells litigation
2. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
3. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591

(b) Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities

1. Consider matters related to contracts for electric service

RETURN TO OPEN SESSION

5.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

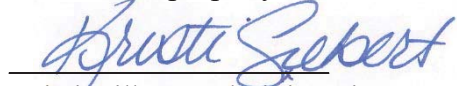
CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended
- Continuing education events attended and to be attended

ADJOURN

EXECUTIVE SESSION: The City Council reserves the right to discuss any of the above items in Executive Closed Session if they meet the qualifications in Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, of Chapter 551 of the Government Code of the State of Texas.

CERTIFIED as posted by 5:30 p.m. on August 10, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, Administrative Services Director/City Secretary

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JULY 9, 2020**

The Regular Meeting of the City Council was held on **July 9, 2020** at 6:00 p.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

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CALL TO ORDER, INVOCATION AND PLEDGE

Mayor Kacir called the meeting to order at 6:00 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Gary Schroeder	Council Member, District 1	Present in person
Tommy Schurig	Council Member, District 2	Present in person
Bobby O’Neal	Council Member, District 3	Present in person
Dan Blakemore	Mayor Pro Tem/Council Member, District 4	Present in person

STAFF PARTICIPATING:

City Manager Tim Patek, City Attorney Dan Santee Interim City Secretary Kristi Gilbert, Finance Director Laura Zella, City Engineer Keith Schauer, Fire Chief Keith Schmidt, Special Projects Manager Ralph Camarillo, Water Supervisor Marland Miller and Police Chief Tim Crow.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor

The Mayor thanked Anne Dollery, the City Manager and Staff for hosting the Texas Junior High Rodeo. Mayor Kacir also thanked the CVB Board for providing lunch for staff members during the event. Mayor Kacir commended the Main Street Board for a fabulous job on the Star Spangled Spectacular. Dr. Heisey requests that all citizens be compliant with guidelines as the numbers continue to rise.

- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

The following individuals were present in person and spoke:

Joann Leifeste, 1308 Summit Drive, requested five minutes to speak, which was granted by the Mayor. Ms. Leifeste mentioned the City Council suggested the museum be cleaned every six to seven years. Ms. Leifeste stated she would donate \$10,000 towards the cleaning of the museum assuming the Mayor would contact Lydia Woods Boone Texas Historical Commission and other applicable agencies. Ms. Leifeste stated she received an estimate from Randy Hughes with Mid-Continental of \$19,892 to clean the building.

Keith Schauer, Chairperson of the Come and Take It Committee, stated the event is still on schedule with modifications.

Interim City Secretary Kristi Gilbert read comments emailed at least two hours prior to the meeting.

Kay Bakken, Regent of the Thomas Shelton Chapter Daughters of the American Revolution, requested funding to remove the roofing materials from the DAR Chapter House Building.

PRESENTATIONS

1.1 Presentation regarding the possible installation of interpretive panels on Confederate Square.

Mayor Kacir stated she invited David Tuce, Glenda Gordan, and Quincy Johnson to participate in this program.

David Tuce spoke regarding the Confederate Square and statute establishing a committee of the minority community to work on a resolution. Mr. Tuce is not advocating for the removal of the statute, but stated it conveyed only one side of history. Mr. Tuce stated to be fair to both the black citizens and white citizens, a compromise should be made. Gonzales claims to be “our town” but it only represents one side and encouraged the city to embrace the change that is necessary. This is an opportunity for another first, to lead the way for change. Mr. Tuce suggests renaming it to Independence Square and allocate a prominent space to erect interpretive panels and a monument, being the west triangle on St. Joseph between St. Lawrence and St. George.

Glenda Gordon, chairperson of the Gonzales County Historical Commission (GCHC) and Preserve Gonzales, stated she had recommendations for the square and had worked on proposal after visiting with David and Quincy. Ms. Gordon stated GCHC and Preservation Gonzales, Inc. proposed to provide the signs, installation and dedication for Civil War Era heritage interpretive panels at designated locations at an estimated cost of \$800-\$1,000 per panel with suggested topics of Antebellum Gonzales; Gonzales' Significance in the Civil War; Woman, Slaves and Refugees; June 19, 1865 Juneteenth state holiday; Neighborhoods and Families in Gonzales; and, African American Firsts in Gonzales.

MOVE TO ITEM 3.12

Mayor Kacir moved the order of the agenda to Item 3.12 to discuss a master plan for the airport to allow Ben Breck, the City's planner with TxDOT Aviation to present information to the City Council.

- 3.12 Discussion and Council Direction on priorities of future capital improvement projects for the Gonzales Economic Development Corporation's consideration, to the extent allowed by law, to include the following:
- Feasibility and cost estimation of an elevated storage tank in the vicinity of the Industrial Park to create a new pressure plain
 - Acquisition of additional land for industrial development
 - A master plan for the airport

Mayor Kacir stated the items were elevated to the Economic Development Corporation (EDC) by the Mayor and City Manager about two years ago.

Ben Breck stated a city the size of Gonzales does not need a huge plan and recommends an Airport Layout Plan which includes a forecast of activity, recommendations, alternatives, prioritization and a capital improvement program. Mr. Breck stated TxDOT has been assisting in funding at a 90/10 match for a cost of approximately \$150,000 and usually takes nine to twelve months to complete.

City Engineer Keith Schauer estimated approximately \$2.5 Million for elevated storage tank.

Mayor Kacir stated EDC has had discussions with regard to acquiring land for additional industrial areas.

Council concurred the elevated storage tank was a priority as it is needed before the other items and EDC is encouraged to review all items.

CONSENT AGENDA ITEMS

- 2.1 **Minutes** - Approval of the minutes for the June 11, 2020 Regular Meeting and June 1, 2020 and June 24, 2020 Special Called Meetings.
- 2.2 **Absences**-Approval of any council absences for the third quarter of fiscal year 2019-20.

- 2.3 Discuss, Consider & Possible Action on **Resolution #2020-59** Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales
- 2.4 Discuss, Consider & Possible Action on **Resolution #2020-60** Authorizing the Purchase of a Chevrolet Silverado 4x2 Crew Cab for the Wastewater Department in an Amount not to exceed \$54,115.
- 2.5 Discuss, Consider & Possible Action on **Resolution #2020-61** Authorizing the Purchase of a hydro-excavator and jetter trailer with trailer for the Wastewater Department in an Amount not to exceed \$149,371.

ACTION: Items 2.1 through 2.5

APPROVED

Council Member Schurig moved to approve the consent agenda as presented. Council Member Schroder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTIONS, ORDINANCES AND COUNCIL ACTION

- 3.1 Discuss, Consider & Possible Action on **Resolution #2020-62** Accepting the Proposals and Awarding the Contract for the 2020 Drainage Improvement Plans to Lester Contracting, Inc.

ACTION: Item 3.1

APPROVED

Council Member Schurig moved to approve **Resolution #2020-62** Accepting the Proposals and Awarding the Contract for the 2020 Drainage Improvement Plans to Lester Contracting, Inc. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.2 Discuss, Consider & Possible Action on **Resolution #2020-63** Accepting the Proposals and Awarding the Contract for the 2020 Utility Improvement Plans to J & R Contracting Services, Inc.

ACTION: Item 3.2

APPROVED

Council Member O'Neal moved to approve **Resolution #2020-63** Accepting the Proposals and Awarding the Contract for the 2020 Utility Improvement Plans to J & R Contracting Services, Inc. Council Member Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.3 Discuss and Conduct the first of two (2) required readings of a Resolution for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code.

ACTION: Item 3.3

FIRST READING

Mayor Kacir conducted the first reading of a Resolution for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code. The second and final reading will be conducted at the August 13, 2020 City Council Meeting.

- 3.4 Discuss, Consider & Possible Action on the City's Fiscal Management Contingency Plan.

The Mayor asked the City Council to consider moving to Level 1 Fiscal Management Contingency Plan.

ACTION: Item 3.4

APPROVED

Mayor Pro Tem Blakemore moved to enact Level 1 Fiscal Management Contingency Plan effective July 27, 2020. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.5 Discuss, Consider & Possible Action on **Resolution #2020-64** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and the Sale and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 2, 3 and 4, 2020.

ACTION: Item 3.5

APPROVED

Council Member Schurig moved to approve **Resolution #2020-64** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and the Sale and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 2, 3 and 4, 2020. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.6 Discuss, Consider & Possible Action on **Resolution #2020-65** Authorizing the City Manager to defer all hotel occupancy tax payments for the second quarter of FY2019-2020 (January, February, March), or another quarter as determined by the City Council, for a minimum of 90 days, with penalties waived, based on the recommendation from the Gonzales Convention and Visitor's Bureau.

CONVENE INTO CLOSED SESSION:

The Council convened into executive session at 7:02 p.m.

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D: Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

RETURN TO OPEN SESSION

Reconvene into Open Meeting at 7:14 p.m.

ACTION: Item 3.6

NO ACTION

No motions were made.

- 3.7 Discuss, Consider & Possible Action on authorizing the City Manager and City Secretary to negotiate an agreement for a joint election with Gonzales County for the May 2020 General Municipal Election postponed to November 3, 2020.

ACTION: Item 3.7

APPROVED

Mayor Pro Tem Blakemore moved to authorizing the City Manager and City Secretary to negotiate an agreement for a joint election with Gonzales County for the May 2020 General Municipal Election postponed to November 3, 2020. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.8 Discuss, Consider & Possible Action on **Resolution #2020-66** Authorizing the City Manager to execute a boundary line agreement and special warranty deed with the Gonzales Chamber of Commerce & Agriculture for a portion of land located at 304 St. Louis Street.

ACTION: Item 3.8

APPROVED

Council Member O'Neal moved to approve **Resolution #2020-66** Authorizing the City Manager to execute a boundary line agreement and special warranty deed with the Gonzales Chamber of Commerce & Agriculture for a portion of land located at 304 St. Louis Street. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.9 Discuss, consider and provide direction on a project to install interpretive panels on Confederate Square.

ACTION: Item 3.9

DIRECTION

Mayor Pro Tem Blakemore moved to direct the committee to bring back a presentation on the panels including the content of the panels. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.10 Discuss, Consider & Possible Action Approving **Resolution #2020-67** Appointing Five Citizens to the Charter Review Commission to be Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.

Council Member Schurig nominated James Lawrence
Council Member Schroeder nominated Joseph Kridler
Council Member O'Neal nominated Robert Ramirez
Mayor Pro Tem Blakemore nominated Al O'Donnell
Mayor Kacir nominated Jon Such

ACTION: Item 3.10

APPROVED

Blakemore moved to Approving **Resolution #2020-67** Appointing James Lawrence, Joseph Kridler, Robert Ramirez, Al O'Donnell, and James Such to the Charter Review Commission to be Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter. Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

- 3.11 Discuss, Consider & Possible Action Approving **Resolution #2020-68** Approving the Amendment of the Job Description and Position Classification for the City Secretary to include duties of Administrative Services Director.

ACTION: Item 3.11

APPROVED

Council Member O'Neal moved Approving **Resolution #2020-68** Approving the Amendment of the Job Description and Position Classification for the City Secretary to include duties of Administrative Services Director. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

STAFF/BOARD REPORTS

- 5.1 Financial Report for the Month of June 2020.

- 5.2 City Manager, Tim Patek will update the City Council on the following: Mr. Patek stated 18 lots have been mowed by the city to date as a result of individuals failing to take care of their lots at a cost of approximately \$2,500 which liens will be filed on for collection. The Jim Price Clean-Up is still scheduled for August 1st and will be following recommended guidelines.

CONVENE INTO CLOSED SESSION:

The Council convened into executive session at 7:29 p.m.

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

- 6.1 (a) Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter", to include the following matters:
1. In Re Estate of J. B. Wells litigation
 2. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
 3. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591
- (b) Pursuant to Section 551.086 of the Texas Government Code, to deliberate, vote or take final action on a competitive matter related to certain public power utilities

1. Consider matters related to contracts for electric service

RETURN TO OPEN SESSION

Reconvene into Open Meeting at 8:11 p.m.

- 6.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

ACTION: Item 6.1

Council Member O'Neal moved to reduce the CSO from 35% to 30% and authorize the City Manager to hire a consultant for negotiations not to exceed \$25,000. Council Member Schroeder seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended
- Continuing education events attended and to be attended

ADJOURN

On a motion by Council Member O'Neal and a second by Mayor Pro Tem Blakemore, the meeting was adjourned at 8:13 p.m.

Approved this 13th day of August 2020.

Connie Kacir, Mayor

Kristi Gilbert, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Council is required to pass a resolution designating authorized signatories for financial institutions (per City of Gonzales Investment Policy). Resolution will designate the following individuals as authorized signatories and removing all others for all accounts in the City of Gonzales' name with all financial institutions.

Mayor Connie Kacir
City Manager Tim Patek
Finance Director Laura Zella
City Secretary Kristi Gilbert

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

As per City of Gonzales Investment Policy; no changes to current policy.

AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-70 Authorizing the Designation of Mayor Connie Kacir, City Manager Tim Patek, Finance Director Laura Zella and City Secretary Kristi Gilbert as Authorized Signatories and Removing All Others For All Accounts in the City of Gonzales' Name With All Financial Institutions

RESOLUTION 2020-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE DESIGNATION OF MAYOR CONNIE KACIR, CITY MANAGER TIMOTHY PATEK, FINANCE DIRECTOR LAURA ZELLA AND CITY SECRETARY KRISTI GILBERT AS AUTHORIZED SIGNATORIES AND REMOVING ALL OTHERS FOR ALL ACCOUNTS IN THE CITY OF GONZALES' NAME AT ALL FINANCIAL INSTITUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Council is required to pass a resolution designating the authorized signatories for financial institutions (per City of Gonzales Investment Policy). This resolution will designate the Mayor Connie Kacir, City Manager Tim Patek, Finance Director Laura Zella and City Secretary Kristi Gilbert as authorized signatories and removing all others for all accounts in the City of Gonzales' name at all financial institutions; and

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby authorizes the designation Mayor Connie Kacir, City Manager Timothy Patek, Finance Director Laura Zella and City Secretary Kristi Gilbert as authorized signatories and removing all others for all accounts in the City of Gonzales' name at all financial institutions.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved therein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 13th day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on Resolution #2020-71 Declaring Certain City Property Surplus and Authorizing the Sale, Donation or Destruction of Said Property in the manner most advantageous to the City of Gonzales

DATE: August 13, 2020

TYPE AGENDA ITEM:

Consent

BACKGROUND:

In 2013 the Council approved a policy whereby the Council would declare property that staff determined to be of no further use to the City to be surplus. The policy also states that Council will recommend the disposal method of the property.

The attached property and supplies listed have been determined to no longer have a use for the City of Gonzales and staff respectfully requests it to be declared surplus.

POLICY CONSIDERATIONS:

Approval of this resolution would be consistent with the policy approved in 2013.

FISCAL IMPACT:

The dollar amount that the surplus property is sold for will increase the general fund revenues.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE SALE AND DONATION OF SAID PROPERTY IN THE MANNER MOST ADVANTAGEOUS TO THE CITY OF GONZALES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2013 the Council approved a policy whereby the Council would declare property that staff determined to be of no further use to the City to be surplus; and,

WHEREAS, the policy states that Council will recommend the disposal method of the property; and

WHEREAS, the attached properties listed have been determined to no longer have a use for the City of Gonzales and staff respectfully requests it to be declared surplus; and

WHEREAS, the surplus vehicles identified in Exhibit “A” will be sold via governmental auction in a manner in which to be the most advantageous to the City of Gonzales.

WHEREAS, the surplus property identified in Exhibit “B” are mobile phones and equipment that will be sold back to companies that will wipe the devices or destroyed to prevent the misuse of stored data.

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

Section 1. That the recitals contain in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. The City Council of the City of Gonzales, Texas hereby declares the attached Exhibit A as surplus property and authorizes the sale or donation of said property in accordance with the forgoing legislative findings.

Section 3. The City Council of the City of Gonzales, Texas hereby declares the attached Exhibit B as surplus property and authorizes the sale or destruction of said property in accordance with the forgoing legislative findings.

Section 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 5. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 6. This Resolution shall be effective upon its approval.

Section 7. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of Gonzales, Texas, on this 13th day of August 2020.

CITY OF GONZALES

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, City Secretary

EXHIBIT "A"

Department	Description	Serial/VIN	Qty
Library - Leftover Spectrum Equipment	Alpha-XM Series Automatic Performance Monitor	8X585797	1
Library - Leftover Spectrum Equipment	Letro Products Uninterruptible Power Supply	GS134A0309	1
Library - Leftover Spectrum Equipment	Alpha Technologies Uninterruptible Power Supply	BA267086	1
Library - Leftover Spectrum Equipment	14 inch Toshiba & Haier TV's		4
Library - Leftover Spectrum Equipment	Bissell Vacuum	622000065	1
Library - Leftover Spectrum Equipment	Sanyo 21 inch console TV	B4400280384561	1
Library - Leftover Spectrum Equipment	2 Drawer Filing Cabinets		3
Library - Leftover Spectrum Equipment	Lockable Payment Drop Box		1
Library - Leftover Spectrum Equipment	Small Bullentin Board		1
Library - Leftover Spectrum Equipment	Small Dry Erase Board		1
Library - Leftover Spectrum Equipment	Medium Computer Desk		1
Library - Leftover Spectrum Equipment	Small Computer Desk		2
Library - Leftover Spectrum Equipment	Desk Chair		22
Library - Leftover Spectrum Equipment	Toaster		1
Library - Leftover Spectrum Equipment	Tape Dispensers		4
Library - Leftover Spectrum Equipment	Stapler		1
Library - Leftover Spectrum Equipment	2 Hole Punch		1
Library - Leftover Spectrum Equipment	Keyboards		2
Library - Leftover Spectrum Equipment	Avaya Corded Phone		1
Library - Leftover Spectrum Equipment	Metal Desk		1
Library - Leftover Spectrum Equipment	Wooden Desk		2
Library - Leftover Spectrum Equipment	Computer Desk		1
Library - Leftover Spectrum Equipment	RCA 20 inch console TV	851436494	1
Library - Leftover Spectrum Equipment	Wooden Rolling Cart		1
Library - Leftover Spectrum Equipment	Metal Shelf with 4 shelves (bent)		1
Library - Leftover Spectrum Equipment	Wooden Desk with Top		1
Library - Leftover Spectrum Equipment	2 Door Metal Cabinet with 6 adjustable Shelves		1

Library - Leftover Spectrum Equipment	2 Door Metal Cabinet with 5 adjustable Shelves (bent)		1
Library - Leftover Spectrum Equipment	2 Shelf Cabinet		1
Library - Leftover Spectrum Equipment	Wooden Desk		1
Library - Leftover Spectrum Equipment	Display Cart		1
Library - Leftover Spectrum Equipment	Sharp 25 inch console TV	661798	1
Library - Leftover Spectrum Equipment	Large Executive Desk - 3 sections		1
Library - Leftover Spectrum Equipment	Panasonic 53 inch console TV on wheels	MY33070032	1
Library - Leftover Spectrum Equipment	Sentry Safe 46"H x 26"W with key and combination dial (combination unknown)	K016669	1
Library - Leftover Spectrum Equipment	Fellows 110 Small Papper Shredder with bin		1
Library - Leftover Spectrum Equipment	HP Cable TX Analyzer	3340a90134	1
Library - Leftover Spectrum Equipment	Sniffer II	3601	1
Library - Leftover Spectrum Equipment	Leader TV Field Level Meter in case		1
Library - Leftover Spectrum Equipment	Searcher Trithic - handheld	F005190	1
Library - Leftover Spectrum Equipment	Wavetek CLI-1750 handheld in case	2130889	1
Library - Leftover Spectrum Equipment	Riser Bond handheld in case		1
Library - Leftover Spectrum Equipment	Com Sonics handheld in case	760922	1
Library - Leftover Spectrum Equipment	Sunrise Telecom Broadband handheld in case		1
Library - Leftover Spectrum Equipment	Microstrip 3 piece in case		1
Library - Leftover Spectrum Equipment	Trilithic handheld with charging base	294603	1
Library - Leftover Spectrum Equipment	Boxes assorted phone cords, splitters & wall covers		12
Library - Leftover Spectrum Equipment	1 Box & 2 Spools of Cable		1
Library - Leftover Spectrum Equipment	Desks		2
Library - Leftover Spectrum Equipment	Sharp 26 inch console TV	661922	1
Library - Leftover Spectrum Equipment	Small End Table with 2 Doors		1
Library - Leftover Spectrum Equipment	Trash Cans		3

**EXHIBIT “B”
MOBILE EQUIPMENT**

IPAD	A1474	iPad Air	DMQPGGLYFK14
IPAD	A1459	iPad 4th Gen	DMPLF2VEFI88
IPAD	A1395	iPad 2	DYTJ6YUXDFHW
IPAD	A1474	iPad Air	DMPP7G7NFK10
IPAD	A1474	iPad Air	DMRPFNT4FK10
IPAD	A1474	iPad Air	DMRPFHBUFK10
IPAD	A1416	iPad 3rd Gen	DMRJ4267DVD1
IPAD	A1474	iPad Air	DMQN7YAUFK14
IPAD	A1474	iPad Air	DMRPFNT4FK10
IPAD	A1474	iPad Air	DMRPF62FK10
IPAD	A1459	iPad 4th Gen	DLXKN5QRF189
IPAD	A1459	iPad 4th Gen	DLXKN6Y2F189
IPAD	A1459	iPad 4th Gen	DLXKN548F189
IPAD	A1459	iPad 4th Gen	DLXKN7ZMF189
IPAD	A1459	iPad 4th Gen	DLXKN49JF189
IPAD	A1459	iPad 4th Gen	DMPL9512F188
IPAD	A1459	iPad 4th Gen	DLXKN8U9F189
IPAD	A1459	iPad 4th Gen	DLXKN91GF189
IPAD	A1459	iPad 4th Gen	DLXKN4PWF189
IPAD	A1459	iPad 4th Gen	DMPKP1PYF189
IPAD	A1459	iPad 4th Gen	DLXKN41SF189
IPAD	A1459	iPad 4th Gen	DLXKN71EF189
IPAD	A1459	iPad 4th Gen	DLXKN6X6F189
IPAD	A1459	iPad 4th Gen	DLXKN5MJF189
IPAD	A1459	iPad 4th Gen	DLXKN86WVF189
IPAD	A1459	iPad 4th Gen	DLXKN584F189

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Conduct the second required reading of Resolution #2020-72 for the approval of a Type B Economic Development Project and Performance Agreement between the Gonzales Economic Development Corporation and Ace Invest, LLC, pursuant to Section 505.158 of the Texas Local Government Code.

DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution (*requires two separate readings*)

BACKGROUND:

Attached for your review is the loan/grant application, additional information requested, and a floor plan of the Ace Invest, LLC, project located at 608 St. Paul Street. Ace Invest, LLC, has invested in the revitalization of the downtown area as described in the application. The project involves completely renovating the property and the installation of a required sprinkler system.

POLICY CONSIDERATIONS:

City Council approval is required for the expenditure of Type B Corporation funds and the performance agreement.

FISCAL IMPACT:

Available funds: The GEDC budget for FY 19/20 has available funds in line item 7-700.718 (Small Business Grant Program) in the amount of \$50,000.00

ATTACHMENTS:

Memorandum / Ace Invest LLC Application and additional information requested

STAFF RECOMMENDATION:

The GEDC respectfully requests City Council approval of the performance agreement and expenditure of funds in the amount of \$33,200.00 to Ace Invest, LLC.



Memorandum

August 3, 2020

To: Honorable Mayor Kacir and City Council
Mr. Tim Patek
Kristi Gilbert, City Secretary

From: Gonzales Economic Development Corporation
Kim Tucker, Interim Executive Director

Re: Approval of Project for Ace Invest, LLC

The above-referenced project requires City Council approval for the expenditure of Type B Corporation funds. Since the proposed expenditure of funds is more than \$10,000.00, the City Council must adopt a resolution authorizing the project after giving the resolution two (2) separate readings (*Tex. Loc. Gov't. Code Ann* §505.158).

The loan/grant application, additional information requested, and a floor plan of the project are attached for your review. Ace Invest, LLC, has invested in the revitalization of the downtown area as described in the application by completely renovating the property located at 608 St. Paul Street. Ace Invest, LLC, was required to accommodate a major safety precaution which included the installation of a sprinkler system and modifications to the original floor plan. After review and discussion of the application the GEDC board unanimously approved the funding request in the amount of \$33,200.00.

The following steps are required for a Type B Corporation:

1. **Approval of Project:** Approved by GEDC on June 1, 2020
2. **Publication Notice of Public Hearing:** Published in the Gonzales Inquirer on June 11, 2020
3. **Public Hearing:** Public Hearing was held on June 22, 2020 – no comments were received
4. **Approval of GEDC Expenditure of Funds/Performance Agreement by City Council** (two separate readings)
5. **Execution of Performance Agreement:** between the GEDC and Ace Invest, LLC: The GEDC board authorized the Board President to execute the performance agreement after the sixty (60) day waiting period.
6. **Funding of Project:** Once sixty (60) days has passed since the publication notice of the project, the Corporation is authorized to make expenditures related to the project (§505.160 (a))

Therefore, we respectfully request approval of this project and expenditure of funds in the amount of \$33,200.00 to Ace Invest, LLC.

RESOLUTION NO. 2020-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, APPROVING A TYPE B ECONOMIC DEVELOPMENT PROJECT AND PERFORMANCE AGREEMENT, BY AND BETWEEN THE GONZALES ECONOMIC DEVELOPMENT CORPORATION, AND ACE INVEST, LLC, FOR ECONOMIC DEVELOPMENT PURPOSES AUTHORIZED PURSUANT TO SECTION 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Gonzales Economic Development Corporation (hereinafter referred to as the “PEDC”) is a Type B Economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

WHEREAS, Section 505.158 of the Texas Local Government Code provides that “[f]or a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, “project” also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation’s board of directors to promote new or expanded business development.” Further, the statute provides that “[a] Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation’s authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings”; and

WHEREAS, GEDC has approved a project with Ace Invest, LLC , and the Performance Agreement is attached hereto as *Exhibit A*; and

WHEREAS, the City Council of the City of Gonzales, Texas, finds and determines that the expenditure as specified in the Performance Agreement, attached hereto as *Exhibit A*, will promote new or expanded business development, and otherwise meets the definition of “project,” as that term is defined by Section 505.158 of the Texas Local Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby found to be true and correct findings of the City of Gonzales, Texas, and are fully incorporated into the body of this Resolution.

Section 2. That the City Council of the City of Gonzales, Texas, finds and determines that the project, Performance Agreement, attached hereto as *Exhibit A*, will promote new and expanded business development, and is otherwise consistent with Section 505.158 of the Texas Local Government Code.

Section 3. That the City Council of the City of Gonzales, Texas, following the second reading of this Resolution authorizes the project, Performance Agreement, attached hereto as *Exhibit A*, and authorize the Mayor to execute this Resolution.

Section 4. That this Resolution shall become effective from and after its passage.

DULY RESOLVED by the City Council of the City of Gonzales, Texas, on this the ____
____ day of _____, 2020.

APPROVED:

Connie L. Kacir, Mayor

ATTEST:

Kristi Gilbert, Interim City Secretary

Exhibit A

Performance Agreement

LOAN/GRANT APPLICATION

Name of the Organization: Ace Invest LLC.
Project Contact(s): Prashanth Tangutur, Rajeev Jain
Phone(s): 920-265-1359 (Prashanth), 603-943-0518 (Rajeev)
Address: 16238 RR 620 N #122 Austin TX 78717

Project Summary:

Name: Texian Heritage Conference Center

Background:

Ace Invest LLC is an Austin based company owned by Prashanth Tangutur and Rajeev Jain who are well versed with rental real estate business and who also hail from business families. The owners have been very successfully with multiple projects in the Austin metro area and are looking to expand to the next upcoming areas in and around Austin.

Market Opportunity:

Gonzales is going through a growth phase that encompasses various types of businesses such as mining, tourism, realty and law firms. The city is expected to attract more people and is expected to be on a growth trajectory in the next 5 years. There is an imminent need to provide a convention /business center that is close to the downtown and city center. Based on our market analysis we have collected data that the surrounding hotel establishments are in dire need of this facility. There isn't one available in the downtown area today which makes it harder for business to conduct conventions or meetings or celebrations.

Business Plan

The plan is to expand 608 St. Paul St which is currently an office space to be a convention center that is in close proximity to the Hotel Alcalde and Gonzales Courthouse. This would require an overall investment of \$95K to convert the existing business area to the convention center. This property (608 St. Paul St.) meets current city property zoning requirements. We would also like to keep alive the Gonzales history and heritage and will be naming our boardrooms and main hall in the name of our heroes and historical figures.

Model:

Please see the attached.

Project Goals & Objectives:

To provide a convention center to host businesses to conduct meetings in the downtown area of Gonzales city. Convention center can accommodate a large gathering of audience up to 120 people and also be able to host business meetings in 2 different meeting rooms/boardrooms.

Funding Amount Requested : \$33,200

Projected Beginning Date : 4/20/2020

Projected Ending Date: 6/30/2020


(Prashanth Tangutur, Partner, ACE Invest LLC)

Date: 05/19/20


(Rajeev Jain, Partner, ACE Invest LLC)

Date: 5/19/2020

The Application

A. Project Description

Title : **Texian Heritage Conference Center**

We would like to build a conference center at 608 St Paul Street which should be functional by July 1st, 2020. The center is going to have 2 boardrooms and one big hall. The facility can be used as a business center to host corporate events. The main big hall can be used for large events, parties, weddings and shows. The hall should be able to host 100+ guests. The location for the property makes it attractive for people to host their events and overall should uplift the economy of the city of Gonzales.

Construction work has started on April 20th, 2020. Please see the attached renovation plan for more details. The estimated completion date for the project is June 30th, 2020.

The center will be named as "Texian Heritage Conference Center". The two boardrooms will be called "**Almaron Dickinson Boardroom**" and "**Thomas R. Miller Boardroom**". The main hall is being named as "**Albert Martin Hall**". This will keep the heritage and pride of Texas in our city of Gonzales.

When we started the project, we had a budget of \$60,000 for renovation. Towards the finalization of the project plan (after we started), we had to accommodate a major safety precaution that included installation of the sprinkler system which exceed the overall project estimate by \$35,000. This cost includes the necessary design changes during construction, installation of sprinkler system and also modifications in the current floor plan.

As the conference/convention center is going to add value to the city of Gonzales and will be adding appeal to the downtown area, we are requesting \$33,200 grant from GEDC for the help with complying with city and safety codes for the building for installing sprinkler system and making other necessary changes. We were able to find additional \$1800 to fund this and requesting \$33,200 from the overall cost of \$35000.

The capital investment for this project has been from our hard-earned nest egg that we have been accumulating over the years doing real estate in the Austin metropolitan area. The incremental funds that are needed to cover the costs related to the sprinkler installation needs external sources of funding. We are looking to GEDC to support us so that as a result, this ends up being a great value-add for the Gonzales city.

B. Project Budget

Project budget is as follows:

Demolition and Framing -	\$11700
Rough-In Electrical, Plumbing -	\$16500
HVAC Systems	\$10000
Wall insulation, Sheetrock, Trim & Doors-	\$11700
Finishing Sheetrock, Painting, Ceiling -	\$7800
Flooring (Tiles), Trim out Electrical/Plumbing -	\$15800
Hardware install and Final Testing/Finishing -	\$4145
Sprinkler System (Chero-Key Piping) -	\$15500
Builder Risk Insurance	\$500
Travel, Miss Expenses	\$1355
Total Amount	\$95000

We are using local "Alcalde Group" for building construction and "Chero-Key Piping Co" from Houston, TX for installing the sprinkler system as we were unable to find a local Gonzales company for such work. "Alcalde Group" is a well-known builder in Gonzales, TX with constructing many buildings in downtown area and have told us that they will be using local labor and supplies (whatever is available) from Gonzales, TX.

C. Project Motivation

We first heard of City of Gonzales from our kids who study in Austin, TX. One of their teacher told them about the great history of the city and this is where we decided to come and visit the city. While visiting, we met some of local resident and saw a business opportunity which aligned with business needs of the city. Our goals are very much aligned with "Economic Development Corporation Act" as the proposed center is going to make the overall place an attractive venue for businesses as well as for the local resident of the city of Gonzales.

In our survey, we found that there aren't many places where people can have boardroom meeting specially for the people coming from out of town. The location is easily accessible and near the courthouse which makes it a perfect venue for court related meetings. Local residents can take advantage for their birthday parties or weddings or reception by renting the big hall. The food/catering as well as accommodation can be arranged from next door hotel.

We have a plan to connect with "Gonzales County Historical Commission" in order to add authenticity to the center by adding some historical painting/photos of the great leaders of Texas.

D. Project Addenda and/or Attachments

- 1) Floor plan is attached.

Business Plan

A. Executive Summary

1. Objectives

The plan is to expand 608 St. Paul St which is currently an office space to be a convention center that is in close proximity to the Hotel Alcalde and Gonzales Courthouse. This would require an overall investment of \$95K to convert the existing business area to the convention center. This property (608 St. Paul St.) meets current city property zoning requirements.

2. Mission

Our mission is to make City of Gonzales very visible in the state of Texas and make it a prime business hub at par with other growing areas around Austin.

We would also like to keep alive the Gonzales history and heritage and will be naming our boardrooms and main hall in the name of our heroes and historical figures.

B. Company Summary

Ace Invest LLC is an Austin based company owned by Prashanth Tangutur and Rajeev Jain who are well versed with rental real estate business and who also hail from business families. The owners have been very successful with multiple projects in the Austin metro area and are looking to expand to the next upcoming areas in and around Austin.

C. Products

Convention center with Party Hall in the city of Gonzales and in the heart of the downtown.

D. Market Segmentation

1. Market Needs

We couldn't find many good options for businesspeople to have boardroom meeting or for having a large party room which can fit in 100+ people.

2. Main Competitors

Based on submitted plan, we couldn't identify any competitor.

E. Strategy and Implementation Summary

Our tenant will be marketing the center thru online as well as thru local advertising.

I (We), hereinafter referred to as "APPLICANT", on behalf of the identified entity, submit to the Gonzales Economic Development Corporation, hereinafter referred to as "GEDC", this application for consideration of a Loan/Grant under the provisions of the GEDC's 4B Sales Tax funded Loan/Grant program.

As part of this application, APPLICANT represents to GEDC the following:

1. APPLICANT has received a copy of the GEDC Guidelines and Criteria for the GEDC Loan/Grant Program. APPLICANT acknowledges to GEDC that in making this application, APPLICANT understands the terms and provisions thereof, and all questions relating to any needed interpretation thereof have been answered by authorized representatives of GEDC prior to the submission of this application.
2. APPLICANT has secured such legal, accounting, and /or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as hereinafter set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon, the advice and counsel of GEDC, its appointed board of directors, employees, agents, and/or elected officials.
3. By signing this document, "Applicant for Loan/Grant of 4B Sales Tax Funds from the Gonzales Economic Development Corporation" either in an individual capacity, jointly, or in a representative capacity, APPLICANT acknowledges and verifies that all of the facts, information, and allegations as herein set out are true, correct and accurate, and that GEDC may rely thereon as if the same had been signed by APPLICANT or APPLICANT'S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.
4. If APPLICANT is a corporate entity, APPLICANT swears and affirms that all applicable franchise taxes, sales tax, or other taxes paid for the privilege of conducting business have been fully paid, and that the APPLICANT is fully authorized to transact business in the State of Texas, and in the state of incorporation if different from the State of Texas. In addition, APPLICANT, whether a corporate entity, partnership, or other legal type of business entity, or an individual, acknowledges and verifies that APPLICANT is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have been paid when due and payable, and that no delinquencies exist at this time.
5. By signing this document, "Application for Loan/Grant of 4B Sales Tax Funds from the Gonzales Economic Development Corporation" either in an individual capacity, jointly, or in a representative capacity, APPLICANT acknowledges and gives express permission for GEDC, its appointed board of directors, employees, and/or agents to conduct background and credit checks, employment verification, and criminal history on APPLICANT.
6. By signing this document, "Application for Loan/Grant of 4B Sales Tax Funds from the Gonzales Economic Development Corporation" either in an individual capacity, jointly, or in a representative capacity, APPLICANT certifies that the business does not and will not knowingly employ an undocumented worker. If the APPLICANT is convicted of engaging in a pattern or practice of violations of federal law governing the unlawful employment of aliens, APPLICANT will be required to repay the total amount of funds received from the GEDC, at a rate and term, to be specified in the written agreement, within 120 days of receiving notice of the violation.

PRASHANTH TANGUTUR 05/19/2020
Name of Applicant Date

RAJEEV JAIN 5/19/2020
Name of Co-Applicant Date

Social Security Number Birth Date

Social Security Number Birth Date

Divers License Number State

Divers License Number State

16238 RR 620N, #F122 AUSTIN TX 78717
Address, City, State and Zip Code

16238 RR 620N, #F122, AUSTIN, TX, 78717
Address, City, State and Zip Code


ACE INVEST, LLC
Company

ACE INVEST, LLC
Company

aceinvestaustin@gmail.com
Email Address

ACEINVESTAUSTIN@GMAIL.COM
Email Address


Signature


Signature

Here is the response to your questions.

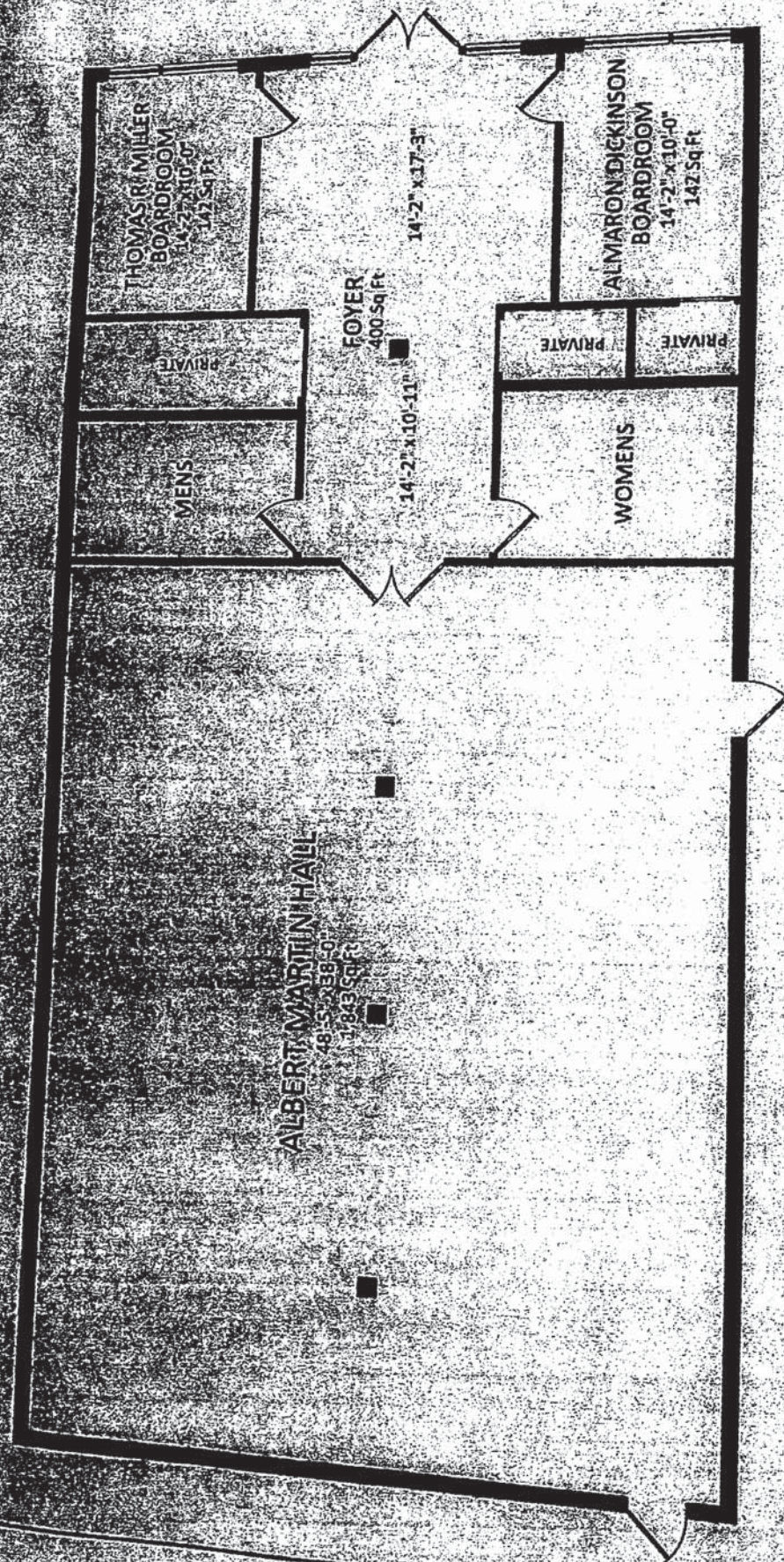
- What was the acquisition cost of the property located at 608 St. Paul Street?
 - Rajeev : \$105,000
- Will this project create any new jobs? If so, how many?
 - Rajeev:
 - It should create temporary jobs for local people. The center will be used for bringing various businesses to have their trade shows (e.g. Antique or gun shows etc) and parties (business, birthday, weddings etc) which will require temporary workforce (from 1 to 10+ people at a time based on the shows/party) to be hired to support the events.
 - This project will enable local businesses to position their products and services better via trade shows, community events etc, which will drive up their top line growth.
 - The conference center is also supposed to be an extension of the Alcalde Hotel which is expected to drive more hotel stays due to hosting of weddings, birthday parties and business conferences. Hence, revenue from tourism is expected to increase for the city due to this addition.
 - Local services such as food catering, flower decorators, cleaning services, event planning etc will benefit hugely by this addition which will indirectly result in increased tax money for the city
 - The center will provide more money (recurring) to city of Gonzales in terms of property tax.
 - The center/project will add to the appeal of downtown.
 - Once the business grows, there are prospects to hire full time staff for the upkeep of the property (1-4 people in 3 years)
- Will this project be retaining any jobs, if applicable?
 - Rajeev: This is not applicable as this is a new project/offering.

Please let me know if there is any question.

Thanks

Regards

Rajeev



Texian Heritage Conference Center **at The Alcalde Hotel and Grill** **608 St. Paul St., Gonzales, TX**

PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** by and between the **GONZALES ECONOMIC DEVELOPMENT CORPORATION**, a Texas non-profit corporation (hereinafter referred to as the "GEDC"), and **ACE INVEST, LLC**, a Texas limited liability company (hereinafter referred to as "Developer"), is made and executed on the following recitals, terms and conditions.

WHEREAS, the GEDC is a Type B economic development corporation, created pursuant to Chapter 505 of the Texas Local Government Code, as amended; and

WHEREAS, Section 501.101 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are: (1) for the creation or retention of primary jobs; and (2) found by the board of directors to be required or suitable for the development, retention, or expansion of: (A) manufacturing and industrial facilities; (B) research and development facilities; (C) military facilities, including closed or realigned military bases; (F) recycling facilities; (I) distribution centers; (J) small warehouse facilities capable of serving as decentralized storage and distribution centers; (K) primary job training facilities for use by institutions of higher education; or (L) regional or national corporate headquarters facilities"; and

WHEREAS, Section 501.103 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "expenditures that are found by the board of directors to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to: (1) streets and roads, rail spurs, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related improvements; (2) telecommunications and Internet improvements; and

WHEREAS, Section 505.152 of the Texas Local Government Code, in pertinent part, defines the term "project" to mean "land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for use for professional and amateur sports, including children's sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, parks and park facilities, open space improvements, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of the items described by this section"; and

WHEREAS, Section 501.158 of the Texas Local Government Code prohibits the provision of a direct incentive unless GEDC enters into an Agreement with Developer providing at a minimum a schedule of additional payroll or jobs to be created or retained by GEDC's investment; a schedule of capital investments to be made as consideration for any direct incentives provided by GEDC to Developer; and a provision specifying the terms and conditions upon which repayment must be made should Developer fail to meet the agreed to performance requirements specified in this Agreement; and

WHEREAS, Developer has applied to GEDC for financial assistance necessary to operate a convention/conference/multi-use center generally located at 608 St. Paul Street, in the City of Gonzales, Texas; and

WHEREAS, the GEDC's Board of Directors have determined the financial assistance to be provided to Developer is consistent and meets the definition of "project" as that term is defined in Sections 501.101, 501.103, of the Texas Local Government Code; and the definition of "cost" as that term is defined by Section 501.152 of the Texas Local Government Code; and

WHEREAS, Developer agrees and understands that Section 501.073(a) of the Texas Local Government Code requires the City Council of the City of Gonzales, Texas, to approve all programs and expenditures of the GEDC, and accordingly this Agreement is not effective until City Council has approved this project at a City Council meeting called and held for that purpose.

NOW, THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the GEDC and Developer agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

SECTION 2. TERM.

This Agreement shall be effective as of the Effective Date, as defined herein, and shall continue thereafter until two (2) years later, unless terminated sooner under the provisions hereof.

SECTION 3. DEFINITIONS.

The following words shall have the following meanings when used in this Agreement.

- (a) **Act.** The word "Act" means Chapters 501 to 505 of the Texas Local Government Code, as amended.
- (b) **Agreement.** The word "Agreement" means this Performance Agreement, together with all exhibits and schedules attached to this Agreement from time to time, if any.
- (c) **Developer.** The words "Developer" mean Ace Invest, LLC, a Texas limited liability company, its successors and assigns, whose address for the purposes of this Agreement is 16238 RR 620 N, #122, Austin, Texas 78717.

- (d) **Effective Date.** The words "Effective Date" mean the date of the latter to execute this Agreement by and between the Developer and the GEDC.
- (e) **Event of Default.** The words "Event of Default" mean and include any of the Events of Default set forth below in the section entitled "Events of Default."
- (f) **GEDC.** The term "GEDC" means the Gonzales Economic Development Corporation, a Texas non-profit corporation, its successors and assigns, whose corporate address for the purposes of this Agreement is 820 Saint Joseph Street, Gonzales, Texas 78629.
- (g) **Property.** The word "Property" means the approximate blocks of land generally located at 608 St. Paul Street, Gonzales, Gonzales County, Texas, and as generally depicted in *Exhibit A* of this Agreement, which is attached hereto and incorporated herein for all purposes.
- (h) **Qualified Expenditures.** The words "Qualified Expenditures" mean those expenditures consisting of building improvements, including, but not limited to the installation of a sprinkler system and necessary modifications to the building, and other expenses related to the same, and which meet the definition of "project" as that term is defined in Section 501.101, 501.103, 505.152, 505.158 of the Act, and meet the definition of "cost" as that term is defined in Section 501.152 of the Act.
- (i) **Term.** The word "Term" means the term of this Agreement as specified in Section 2 of this Agreement.

SECTION 4. AFFIRMATIVE COVENANTS OF DEVELOPER.

Developer covenants and agrees with GEDC that, while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Qualified Expenditures.** Developer covenants and agrees to submit to the GEDC invoices, paid receipts, or other documentation of the Qualified Expenditures in a form acceptable to the GEDC prior to any reimbursement. Developer covenants and agrees to provide to the GEDC said invoices, receipts, or other documentation by December 31, 2020.
- (b) **Certificate of Occupancy.** Developer covenants and agrees to obtain or cause to be obtained by December 31, 2020, a Certificate of Occupancy from the City of Gonzales, Texas, for a minimum of 3,000 square feet for a convention/conference/multi-use center located on the Property.
- (c) **Operate Convention/Conference/Multi-Use Facility.** Developer covenants and agrees to maintain and operate a minimum of 3,000 square feet multi-use facility located on the Property during the Term of this Agreement.

- (d) **Performance Conditions.** Developer agrees to make, execute and deliver to GEDC such other promissory notes, instruments, documents and other agreements as GEDC or its attorneys may reasonably request to evidence this Agreement.
- (e) **Performance.** Developer agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the Developer and GEDC.

SECTION 5. AFFIRMATIVE COVENANTS OF GEDC.

GEDC covenants and agrees with Developer that, while this Agreement is in effect, it shall comply with the following terms and conditions:

- (a) **Financial Assistance for Qualified Expenditures.** GEDC covenants and agrees to provide financial assistance in the amount of **THIRTY-THREE THOUSAND TWO HUNDRED DOLLARS (\$33,200.00)** to Developer. The GEDC covenants and agrees to submit reimbursement for Qualified Expenditures made by the Developer pursuant to Section 4(a) of this Agreement.
- (b) **Performance.** GEDC agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements by and between the Developer and GEDC.

SECTION 6. CESSATION OF ADVANCES.

If the GEDC has made any commitment to provide any financial assistance to Developer, whether under this Agreement or under any other agreement, the GEDC shall have no obligation to advance or disburse the financial assistance if: (i) Developer becomes insolvent, files a petition in bankruptcy or similar proceedings, or is adjudged bankrupt; or (ii) an Event of Default occurs.

SECTION 7. EVENTS OF DEFAULT.

Each of the following shall constitute an Event of Default under this Agreement:

- (a) **General Event of Default.** Failure of Developer or GEDC to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of Developer or GEDC to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement by and between Developer and GEDC is an Event of Default.

- (b) **False Statements.** Any warranty, representation, or statement made or furnished to GEDC by or on behalf of Developer under this Agreement that is false or misleading in any material respect, either now or at the time made or furnished is an Event of Default.
- (c) **Insolvency.** Developer's insolvency, appointment of receiver for any part of Developer's property, any assignment for the benefit of creditors of Developer, any type of creditor workout for Developer, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Developer is an Event of Default.
- (d) **Ad Valorem Taxes.** Developer allows its ad valorem taxes owed to the City of Gonzales, Texas, to become delinquent and fails to timely and properly follow the legal procedures for protest and/or contest of such taxes and to cure such failure within thirty (30) days after written notice thereof from GEDC and/or Gonzales County Central Appraisal District is an Event of Default.

SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

In the event of default under Section 7 of this Agreement, the non-defaulting party shall give written notice to the other party of any default, and the defaulting party shall have thirty (30) days to cure said default. Should said default remain uncured as of the last day of the applicable cure period, and the non-defaulting party is not otherwise in default, the non-defaulting party shall have the right to immediately terminate this Agreement, enforce specific performance as appropriate or maintain a cause of action for damages caused by the event(s) of default. In the event, Developer defaults and is unable or unwilling to cure said default within the prescribed time period, the amounts provided by the GEDC to Developer pursuant to Section 5(a) of this Agreement shall become immediately due and payable by Developer to the GEDC.

SECTION 9. INDEMNIFICATION.

Developer shall indemnify, save, and hold harmless GEDC, its directors, officers, agents, attorneys, and employees (collectively, the "Indemnitees") from and against: (i) any and all claims, demands, actions or causes of action that are asserted against any Indemnitee if the claim, demand, action or cause of action directly or indirectly relates to tortious interference with contract or business interference, or wrongful or negligent use of GEDC's financial assistance by Developer or its agents and employees; (ii) any administrative or investigative proceeding by any governmental authority directly or indirectly related, to a claim, demand, action or cause of action in which GEDC is a disinterested party; (iii) any claim, demand, action or cause of action which directly or indirectly contests or challenges the legal authority of GEDC or Developer to enter into this Agreement; and (iv) any and all liabilities, losses, costs, or expenses (including reasonable attorneys' fees and disbursements) that any Indemnitee suffers or incurs as a result of any of the foregoing; provided, however, that Developer shall have no obligation under this Section to GEDC with respect to any of the foregoing arising out of the gross negligence or willful misconduct of GEDC or the breach by GEDC of this Agreement. If any claim, demand, action or cause of action is asserted

against any Indemnatee, such Indemnatee shall promptly notify Developer, but the failure to so promptly notify Developer shall not affect Developer's obligations under this Section unless such failure materially prejudices Developer's right to participate in the contest of such claim, demand, action or cause of action, as hereinafter provided. If requested by Developer in writing, as so long as no Default or Event of Default shall have occurred and be continuing, such Indemnatee shall in good faith contest the validity, applicability and amount of such claim, demand, action or cause of action and shall permit Developer to participate in such contest. Any Indemnatee that proposes to settle or compromise any claim, demand, action, cause of action or proceeding for which Developer may be liable for payment of indemnity hereunder shall give Developer written notice of the terms of such proposed settlement or compromise reasonably in advance of settling or compromising such claim or proceeding and shall obtain Developer's concurrence thereto.

SECTION 10. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

- (a) **Amendments.** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.
- (b) **Applicable Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Gonzales County, Texas. Venue for any action arising under this Agreement shall lie in the state district courts of Gonzales County, Texas.
- (c) **Assignment.** This Agreement may not be assigned without the express written consent of the other party.
- (d) **Binding Obligation.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Developer warrants and represents that the individual or individuals executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. GEDC warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.
- (e) **Caption Headings.** Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.
- (f) **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

- (g) **Notices.** Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

if to GEDC: Gonzales Economic Development Corporation
820 Saint Joseph Street
Gonzales, Texas 78629
Attn: Executive Director
Telephone: (830) 672-2815

if to Developer: Ace Invest, LLC
16238 RR 620 N, #122
Austin, Texas 78717
Attn: Rajeev Jain
Telephone: (603) 943-0518

- (h) **Severability.** If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.
- (i) **Time is of the Essence.** Time is of the essence in the performance of this Agreement.
- (j) **Undocumented Workers.** Developer certifies that the Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of the public subsidy provided under this Agreement plus interest, at the rate of eight percent (8%), not later than the 120th day after the date the GEDC notifies Developer of the violation.

[The Remainder of this Page Intentionally Left Blank]

DEVELOPER ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS PERFORMANCE AGREEMENT, AND DEVELOPER AGREES TO ITS TERMS. THIS AGREEMENT IS EFFECTIVE AS OF THE EFFECTIVE DATE AS IS PROVIDED HEREIN.

GEDC:

GONZALES ECONOMIC DEVELOPMENT CORPORATION,

a Texas non-profit corporation

By: _____
Andy Rodriguez, President

Date Signed: _____

ATTEST:

Gerri Lawing, Secretary

DEVELOPER:

ACE INVEST, LLC,

a Texas limited liability company

By: _____

Name: _____

Title: _____

Date Signed: _____

Exhibit A

Legal Description of the Property

Gonzales County Appraisal District
Property ID: 11925
Property Legal Description: BLK 34 PT LOT 2 N LOT 3
Gonzales Blocks

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider and Possible Action on
Ordinance #2020-15 Authorizing Budget
Amendments for the 2019-2020 Fiscal Year

DATE: August 13, 2020

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

On September 12, 2019 the City Council of the City of Gonzales Approved the Operating Budget for the City of Gonzales for the Fiscal Year Beginning October 1, 2019 and ending September 30, 2020.

Budget Amendment #1

In February of 2020 the City of Gonzales contracted with SGR to temporarily place someone in the City Secretary position until it was permanently filled. The City was responsible for paying a professional fee to SGR for the interim, all hotel accommodations and \$10,000 for a placement fee if that individual became permanent. All of these fees were expensed to Special Contracts 100-7-108.411. The City Council of the City of Gonzales approved Resolution 2020-68 Authorizing the Amendment of the job description and position classification for the City Secretary to include duties of Administrative Services Director. The position was filled on July 13, 2020 and staff is requesting a Budget Amendment in the amount of \$59,000 from the fund balance of the General Fund to cover all of the costs described above.

Special Contracts	100-7-108.411	\$59,000.00
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Budget Amendment #2

The City Council of the City of Gonzales approved Resolution 2020-55 Approving the Recommendation of Gonzales Convention & Visitor Bureau to grant a budget amendment for the tourism department to increase the overall tourism marketing efforts over the next six (6) months in an effort to revitalize the local economy and directs the City Manager to bring forward an amendment to the FY 2019-2020 budget. Staff is requesting a Budget Amendment in the amount of \$90,000 from the fund balance of the Hotel/Motel fund and is to be split amongst the following accounts.

Advertising	500-7-811.502	\$55,000.00
Promotional Items	500-7-811.519	\$15,000.00
Marketing-Website/ Brochures	500-7-811.520	\$20,000.00

Budget Amendment #3

The City Council of the City of Gonzales approved Resolution 2018-94 Accepting the Proposals and Authorizing the City Manager to Execute an Agreement for the Hydro Station Renovation. On that same day, City Council of the City of Gonzales Accepted the Proposals and Authorized the City Manager to Execute an Agreement for the Gonzales Hydro-Mechanical/Electrical Renovations. The contractors have completed the construction process, but there have been maintenance costs to the building and an emergency repair (\$5,130.56). In addition to that, the City of Gonzales is still working with Schneider Engineering who is continuing to manage the project through the transition meeting and development of any follow-up work based on that meeting. Staff is requesting a Budget Amendment to cover these additional costs and it will come from the fund balance of the Electric Fund.

Engineering	210-7-809.423	\$15,000.00
Maintenance to Building	210-7-710.301	\$ 8,000.00

Budget Amendment #4

In August of 2017, the City of Gonzales suffered damage to wastewater lines as a result of Hurricane Harvey. The State of Texas General Land Office (GLO) through the Golden Crescent Council of Governments allocated \$852,300 in CDBG-DR (Disaster Recovery Funding) to the City of Gonzales for infrastructure improvements as a result of disaster declaration DR-4332-2017. On February 10, 2019, the City of Gonzales was awarded the CDBG-DR grant through the GLO. Staff has been advised that 60% of the Engineering fees, 50% of Grant Writer fees and 100% of environmental fees will be invoiced by September 30, 2020. Staff is requesting a Budget Amendment to cover these additional costs that will initially be paid out of the fund balance of the wastewater fund, but they will be reimbursed by grant funds within 30 days of submission.

CDBG-Grant Revenue	230-4-731.110	\$106,978.60
Grant Writer Fees	230-7-731.403	\$ 15,000.00
Special Contracts	230-7-731.411	\$ 29,971.00
Engineering	230-7-731.423	\$ 62,007.60

POLICY CONSIDERATIONS:

Approval of these budget amendments is consistent with current policy.

FISCAL IMPACT:

This Ordinance will amend the budget.

ATTACHMENTS:

Please see Exhibit "A" for a listing of the budget amendments.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

ORDINANCE NO. 2020-15

AN ORDINANCE OF THE CITY OF GONZALES, TEXAS, APPROVING A BUDGET AMENDMENT TO THE OPERATING BUDGET FOR THE CITY OF GONZALES FOR FISCAL YEAR OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; ESTABLISHING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an annual operating budget for the fiscal year October 1, 2019 through September 30, 2020, was approved and adopted by the City Council on September 12, 2019; and,

WHEREAS, amendments to said budget have been deemed necessary as itemized in "Exhibit A" attached hereto and made a part hereof; and

WHEREAS, said full and final consideration of said budget amendments have been held in a legally posted public meeting of the City Council, and it is the consensus of opinion that the budget amendments as submitted, should be approved and adopted.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby amends the budget for the 2019-20 fiscal year as set forth in the Attached "Exhibit A", which is fully incorporated herein by reference.

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

Section 4. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Ordinance shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 13th day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

EXHIBIT “A”

Budget Amendment #1

In February of 2020 the City of Gonzales contracted with SGR to temporarily place someone in the City Secretary position until it was permanently filled. The City was responsible for paying a professional fee to SGR for the interim, all hotel accommodations and \$10,000 for a permanent placement fee if that individual became permanent. All of these fees were expensed to Special Contracts 100-7-108.411. The City Council of the City of Gonzales approved Resolution 2020-68 Authorizing the Amendment of the job description and position classification for the City Secretary to include duties of Administrative Services Director. The position was filled on July 13, 2020 and staff is requesting a Budget Amendment in the amount of \$59,000 from the fund balance of the General Fund to cover all of the costs described above.

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Engineering	210-7-809.423	\$15,000.00
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Grant Writer Fees	230-7-731.403	\$ 15,000.00
Special Contracts	230-7-731.411	\$ 29,971.00
Engineering	230-7-731.423	\$ 62,007.60

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving Resolution #2020-73 Taking a
Record Vote on Setting the Preliminary
Maximum Ad Valorem Tax Rate for Fiscal
Year 2020-2021 and Scheduling a Public
Hearing

DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

This is a presentation of the 2020 Governing Body Summary #1B. Council must propose a tax rate.

On July 23, 2020 the City received the certified property tax rolls from the Gonzales County Appraisal District. The Gonzales County Tax Assessor-Collector used this information and information provided from the City of Gonzales to calculate the No New Revenue Tax Rate and Voter Approval Tax Rate for the 2020 Tax Year.

The No New Revenue Tax Rate is a calculated rate that would provide the city with about the same amount of revenues it received the year before on properties taxed in both years. The current property tax rate is \$0.3380 per \$100.00 valuation. The Voter-Approval Tax Rate is a calculated maximum rate allowed by law without voter approval.

The 2020 Tax Year No New Revenue Tax Rate is \$0.2992 per \$100.00 of valuation, which is less than the current tax rate by \$0.0388. The Voter-Approval Tax Rate is \$0.3511 per \$100.00 of valuation. Staff is recommending a preliminary maximum property tax rate of \$0.3511 per \$100.00 which exceeds the No New Revenue Tax Rate by \$0.0519.

In accordance with Chapter 26.05(d) of the State's Property Tax Code, a governing body must hold a Public Hearing on the tax rate if the proposed tax rate exceeds the lower of the No New Revenue Tax Rate or Voter Approval Tax Rate. In this case, that Public Hearing is required because the proposed tax rate exceeds the No New Revenue Tax Rate. Staff recommends holding the Public Hearing on September 3, 2020. If the Council chooses to go with the No New Revenue Tax Rate, an ordinance will be placed on the September 10th agenda and no further action is required.

During the final tax rate adoption process Council can approve a lower rate at that time, however they will not be able to approve a higher rate than this without republishing the notices and holding additional public hearings.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

N/A

ATTACHMENTS:

2020 Governing Body Summary #1B*

2020 Tax Rate Calculation Worksheet

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this resolution.

RESOLUTION NO. 2020-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING A PRELIMINARY MAXIMUM AD VALOREM TAX RATE FOR FISCAL YEAR 2020-2021, AND SCHEDULING A PUBLIC HEARING; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on July 23, 2020 the City received the certified property tax rolls from the Gonzales County Appraisal District; and

WHEREAS, the Gonzales County Tax Assessor-Collector used this information and information provided from the City of Gonzales to calculate the No New Revenue Tax Rate and Voter Approval Tax Rate for the 2020 Tax year; and

WHEREAS, the 2020 Tax Year No New Revenue Tax Rate is \$0.2992 per \$100.00 valuation, which is more than the current tax rate by \$0.0388; and

WHEREAS, the Voter Approval Tax Rate is \$0.3511 per \$100.00 valuation; and,

WHEREAS, Chapter 26.05(d) of the Tax Code stated that a Public Hearing must be held if the proposed tax rate exceeds the lower of the No New Revenue Tax Rate or Voter Approval Tax Rate; and,

WHEREAS, the City staff of the City of Gonzales has recommended that the City Council approve a preliminary maximum tax rate for Fiscal Year 2020-2021; and,

WHEREAS, staff recommends holding the Public Hearing on September 3, 2020; and,

WHEREAS, the City Council has determined that it is in the best interest of the City to establish a preliminary maximum tax rate and schedule the two required Public Hearing dates.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby authorizes a preliminary maximum ad valorem tax rate for fiscal year 2020-2021 of \$0.3511 per \$100.00 valuation and schedules the Public Hearing for September 3, 2020.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved therein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 13th day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

2020 Governing Body Summary #1B*

Comparison of This Year's Tax Levy with Last Year's Tax Levy

(Does Not Include Frozen Levy)

CITY OF GONZALES-SPECIAL PROVISIONS

Date: 07/29/2020 06:39PM

Last Year's Tax Levy**: 1,388,285

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY***	TAX LEVY INCREASE****
Last Year's Tax Rate	0.3380	1,574,120	185,835
No New Revenue Tax Rate	0.2992	1,393,888	5,603
Notice & Hearing Limit*****	0.4444	499,713	-888,572
Voter Approval Tax Rate	0.3511	1,635,128	246,843

*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

**Last year's tax levy is calculated using Texas Property Tax Code's definition of "last year's levy".

***This years tax levies are calculated using line 19 of the No New Revenue Tax Rate Worksheet and this years frozen tax levy on homesteads of the elderly or disabled.

2019 Adjusted Taxable as of 07/23/2020	\$473,192,559
2019 Adjusted Tax Ceilings	\$ 63,580,080
2019 Freeze Adjusted Taxable	\$409,612,479

2020 Certified Net Taxable	\$528,682,315
2020 Tax Ceilings	\$ 64,297,220
2020 Protested Value	\$ 1,330,750
2020 Adjusted Value	\$465,715,845

2020 New Improvements \$2,552,540

The No-New-Revenue Tax Rate (NNR) for 2020 is: 0.2992

The Voter-Approval Tax Rate for 2020 is: 0.3511

The 2020 Debt (I&S) rate is: 0.1610

The above figures were calculated with an anticipated collection rate of 100%.

The above figures were calculated per request using TAXING UNIT AFFECTED BY DISASTER DECLARATION.

Taxing Units Other Than School Districts or Water Districts

2020 Tax Rate Calculation Worksheet

Date: 07/29/2020 06:38 PM

2020 CITY OF GONZALES-SPECIAL PROVISIONS

830-672-2815

Taxing Unit Name

Phone (area code and number)

810 ST JOSEPH STREET, GONZALES, TX, 78629

Taxing Unit Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller For 50-859 *Tax Rate Calculation Worksheet for School Districts*.

Water districts as defined under Water Code Section 49.001(1) should use Comptroller Form 50-858 Water District Rollback Tax Rate Worksheet. All other taxing units should use Comptroller Form 50-856 Tax Rate Calculation, Taxing Units Other Than School Districts.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

STEP 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both year.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operation taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Rate Activity	Amount/Rate
1.	2019 total taxable value. Enter the amount of 2019 taxable value on the 2019 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 17).	\$473,192,559
2.	2019 tax ceilings. Counties, cities and junior college districts. Enter 2019 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step	\$63,580,080
3.	Preliminary 2019 adopted taxable value. Subtract Line 2 from Line 1.	\$409,612,479
4.	2019 total adopted tax rate	\$.338000
5.	2019 taxable value lost because court appeals of ARB decisions reduced 2019 appraised value:	
	A. Original 2019 ARB values:	\$11,602,810
	B. 2019 values resulting from final court decisions:	\$10,543,000
	C. 2019 value loss. Subtract B from A.[3]	\$1,059,810
6.	2019 taxable value subject to appear under Chapter 42, as of July 25.	
	A. 2019 ARB certified value	

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Line	No-New-Revenue Rate Activity	Amount/Rate
		0
	B. 2019 disputed value:	0
	C. 2019 undisputed value Subtract B from A	0
7.	2019 Chapter 42-related adjusted values. Add Line 5 and 6	1,059,810
8.	2019 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 7	\$410,672,289
9.	2019 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2019. Enter the 2019 value of property in deannexed territory.[4]	\$0
10.	2019 taxable value lost because property first qualified for an exemption in 2020. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2020 does not create a new exemption or reduce taxable value.	
	A. Absolute exemptions. Use 2019 market value:	\$47,917
	B. Partial exemptions. 2020 exemption amount or 2020 percentage exemption times 2019 value:	\$480,610
	C. Value loss. Add A and B.	\$528,527
11.	2019 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2020. Use only properties that qualified in 2020 for the first time; do not use properties that qualified in 2019.	
	A. Use 2019 market value:	\$90,570
	B. 2020 productivity or special appraised value:	\$1,790
	C. Value loss. Subtract B from A.	\$88,780
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$617,307
13.	Adjusted 2019 taxable value. Subtract Line 12 from Line 8	\$410,054,982
14.	Adjusted 2019 taxes. Multiply Line 4 by Line 13 and divide by \$100	\$1,385,985
15.	Taxes refunded for years preceding tax year 2019. Enter the amount of taxes refunded by the district for tax years preceding tax year 2019. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019. [8]	\$213
16.	Taxes in tax increment financing (TIF) for tax year 2019 Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2020 captured appraised value in Line 18D, enter 0.[9]	\$0
17.	Adjusted 2019 levy with refunds and TIF adjustment. Add Lines 14, and 15, subtract Line 16.	\$1,386,198
18.	Total 2020 taxable value on the 2020 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled.[11]	
	A. Certified values	\$528,682,315
	B. Counties Include railroad rolling stock values certified by the Comptroller's office	\$0
	C. Pollution control and energy storage system exemption Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property	\$0
	D. Tax increment financing Deduct the 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2020 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below.[12]	\$0

Line	No-New-Revenue Rate Activity	Amount/Rate
	E. Total 2020 value Add A and B, then subtract C and D	\$528,682,315
19.	Total value of properties under protest or not included on certified appraisal roll. [13]	
	A. 2020 taxable value of properties under protest The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest [14]	\$1,330,750
	B. 2020 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll.[15]	\$0
	C. Total value under protest or not certified. Add A and B.	\$1,330,750
20.	2020 tax ceilings. Counties, cities and junior colleges enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2019 or a prior year for homeowners age 65 or older or disabled, use this step.	\$64,297,220
21.	2020 total taxable value. Add Lines 18E and 19C. Subtract Line 20C.	\$465,715,845
22.	Total 2020 taxable value of properties in territory annexed after Jan. 1, 2019. Include both real and personal property. Enter the 2020 value of property in territory annexed. [18]	\$0
23.	Total 2020 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2019. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2019 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2020. [19]	\$2,552,540
24.	Total adjustments to the 2020 taxable value. Add Lines 22 and 23.	\$2,552,540
25.	Adjusted 2020 taxable value. Subtract Line 24 from Line 21.	\$463,163,305
26.	2020 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100.	\$.299200 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2020 county NNR tax rate	\$.299200 /\$100

[1]Tex. Tax Code Section

[2]Tex. Tax Code Section

[3]Tex. Tax Code Section

[4]Tex. Tax Code Section

[5]Tex. Tax Code Section

[6]Tex. Tax Code Section

[7]Tex. Tax Code Section

[8]Tex. Tax Code Section

[9]Tex. Tax Code Section

[10]Tex. Tax Code Section

[11]Tex. Tax Code Section

[12]Tex. Tax Code Section

[13]Tex. Tax Code Section

[14]Tex. Tax Code Section

[15]Tex. Tax Code Section

[16]Tex. Tax Code Section

[17]Tex. Tax Code Section

[18]Tex. Tax Code Section

[19]Tex. Tax Code Section

[20]Tex. Tax Code Section

[21]Tex. Tax Code Section

STEP 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. Maintenance and Operations (M&O) Tax Rate: The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.

2. Debt Rate: The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter Approval Tax Rate Activity	Amount/Rate
28.	2019 M&O tax rate. Enter the 2019 M&O tax rate.	\$.198600
29.	2019 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the No-New-Revenue Tax Rate Worksheet.	410,672,289
30.	Total 2019 M&O levy. Multiply Line 28 by Line 29 and divide by \$100	815,595
31.	Adjusted 2019 levy for calculating NNR M&O rate. Add Line 31E to Line 30.	815,734
	A. 2019 sales tax specifically to reduce property taxes. For cities, counties and hospital districts, enter the amount of additional sales tax collected and spent on M&O expenses in 2019, if any. Other taxing units, enter 0. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent	0
	B. M&O taxes refunded for years preceding tax year 2019. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2019. This line applies only to tax years preceding tax year 2019	139
	C. 2019 taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2020 captured appraised value in Line 18D, enter 0	0
	D. 2019 transferred function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in E below. The taxing unit receiving the function will add this amount in E below. Other taxing units enter 0.	0
	E. 2019 M&O levy adjustments. Add A and B, then subtract C. For taxing unit with D, subtract if discontinuing function and add if receiving function	139
32.	Adjusted 2020 taxable value. Enter the amount in Line 25 of the No-New-Revenue Tax Rate Worksheet.	463,163,305
33.	2020 NNR M&O rate (unadjusted) Divide Line 31 by Line 32 and multiply by \$100.	0.1761
34.	Rate adjustment for state criminal justice mandate. Enter the rate calculated in C. If not applicable, enter 0.	0.0000
	A. 2020 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	0
	B. 2019 state criminal justice mandate Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies	0

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Line	Voter Approval Tax Rate Activity	Amount/Rate
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.0000
35.	Rate adjustment for indigent health care expenditures Enter the rate calculated in C. If not applicable, enter 0	0.0000
	A. 2020 indigent health care expenditures Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose	0
	B. 2019 indigent health care expenditures Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state assistance received for the same purpose	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.0000
36.	Rate adjustment for county indigent defense compensation Enter the lessor of C and D. If not applicable, enter 0	0.0000
	A. 2020 indigent defense compensation expenditures Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose	0
	B. 2019 indigent defense compensation expenditures Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2018 and ending on June 30, 2019, less any state grants received by the county for the same purpose	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.0000
	D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100	0.0000
37.	Rate adjustment for county hospital expenditures. Enter the lessor of C and D, if applicable. If not applicable, enter 0.	0
	A. 2020 eligible county hospital expenditures Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020	0
	B. 2019 eligible county hospital expenditures Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2018 and ending on June 30, 2019	0
	C. Subtract B from A and divide by Line 32 and multiply by \$100	0.0000
	D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100	0.0000
38.	Adjusted 2020 NNR M&O rate. Add Lines 33, 34, 35, 36, and 37	0.1761
39.	2020 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit If the taxing unit qualifies as a special taxing unit, multiply Line 38 by 1.08 -or- Other Taxing Unit If the taxing unit does not qualify as a special taxing unit, multiply Line 38 by 1.035. -or- Taxing unit affected by disaster declaration If the taxing unit is located in an area declared as disaster area, the governing body may direct the person calculating the voter-approval rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval rate in this manner until the earlier of 1) the second year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, and 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply Line 38 by 1.08. [27]	0.1901
40.	Total 2020 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses.	

Line	Voter Approval Tax Rate Activity	Amount/Rate
	A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount	750,050
	B. Subtract unencumbered fund amount used to reduce total debt.	0
	C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none)	0
	D. Subtract amount paid from other resource	0
	E. Adjusted debt Subtract B, C and D from A	750,050
41.	Certified 2019 excess debt collections Enter the amount certified by the collector.	0
42.	Adjusted 2020 debt Subtract Line 41 from Line 40E	750,050
43.	2020 anticipated collection rate. . If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%	100.00
	A. Enter the 2020 anticipated collection rate certified by the collector	100.00
	B. Enter the 2019 actual collection rate	101.02
	C. Enter the 2018 actual collection rate	101.37
	D. Enter the 2017 actual collection rate	99.66
44.	2020 debt adjusted for collections. Divide Line 42 by Line 43.	750,050
45.	2020 total taxable value. Enter the amount on Line 21 of the No-New-Revenue Tax Rate Worksheet.	465,715,845
46.	2020 debt rate Divide Line 44 by Line 45 and multiply by \$100.	0.1610
47.	2020 voter-approval tax rate	0.3511
48.	COUNTIES ONLY	0.3511
STEP 3 NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales tAx to Reduce Property Taxes		

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
49.	Taxable sales. For taxing units that adopted the sales tax in November 2019 or May 2020, enter the Comptroller's estimate of taxable sales for the previous four quarters. Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2019, skip this line.	0
50.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. Taxing units that adopted the sales tax in November 2019 or in May 2020. Multiply the amount on Line 49 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95[3] -or- Taxing units that adopted the sales tax before November 2019. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	0
51.	2020 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet.</i>	465,715,845
52.	Sales tax adjustment rate. Divide Line 50 by Line 51 and multiply by \$100.	0.0000
53.	2020 NNR tax rate, unadjusted for sales tax.[35] Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet.</i>	\$.299300
54.	2020 NNR tax rate, adjusted for sales tax. Subtract Line 52 from Line 53.	\$.299200
55.	2020 voter-approval tax rate, unadjusted for sales tax.[36] Enter the rate from August 13, 2020 Agenda Packet 60 of 331	0.3511

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
	Line 47 or Line 48 as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i>	
56.	2020 voter-approval tax rate, adjusted for sales tax. Subtract Line 52 from Line 55.	0.3511

[37]Tex. Tax Code Section [38]Tex. Tax Code Section

STEP 4: Additional Rollback Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Activity	Amount/Rate
57.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). [6] Enter the amount certified in the determination letter from TCEQ. The taxing unit shall provide its tax assessor collector with a copy of the letter.[7]	\$0
58.	2020 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>	\$465,715,845
59.	Additional rate for pollution control. Divide Line 57 by Line 58 and multiply by \$100.	0.0000
60.	2020 voter-approval tax rate, adjusted for pollution control. Add Line 59 to one of the following lines (as applicable): Line 47, Line 48 (counties) or Line 56 (taxing units with the additional sales tax).	0.3511

[37]Tex. Tax Code Section

[38]Tex. Tax Code Section

STEP 5: Voter-Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years.[39] In a year where a special taxing unit adopts a rate above the voter-approval tax rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero. Consult with legal counsel to ensure appropriate calculation of the unused increment rate.

For each tax year before 2020, the difference between the adopted tax rate and voter-approval rate is considered zero, therefore the unused increment rate for 2020 is zero.[40]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [41]

Line	Activity	Amount/Rate
61.	2019 unused increment rate. Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.0000
62.	2018 unused increment rate. Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.0000
63.	2017 unused increment rate. Subtract the 2017 actual tax rate and the 2017 unused increment rate from the 2017 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	0.0000
64.	2020 unused increment rate. Add Lines 61, 62 and 63.	0.0000
65.	2020 voter-approval tax rate, adjusted for unused increment rate. Add Line 64 to one of the following lines (as applicable): Line 47, Line 48 (counties), Line 56 (taxing units with the additional sales tax) or Line 60 (taxing units with pollution control).	0.0000

STEP 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no=new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.[42]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [41]

Line	Activity	Amount/Rate
66.	Adjusted 2020 NNR M&O tax rate. Enter the rate from Line 38 of the <i>Voter-Approval Tax Rate Worksheet</i>	0.1761
67.	2020 total taxable value Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i>	465,715,845
68.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 67 and multiply by \$100.	0.1073
69.	2020 debt rate Enter the rate from Line 46 of the <i>Voter- Approval Tax Rate Worksheet</i>	0.1610
70.	De minimis rate Add Lines 66, 68 and 69.	0.4444

STEP 7: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate 0.2992

Voter-Approval Tax Rate 0.3511

De minimis rate 0.4444

STEP 8: Taxing Unit Representative Name and Signature

print here

Printed Name of Taxing Unit Representative

sign here

Taxing Unit Representative

Date

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on **Resolution #2020-74** Determining that an Area of the City Contains Conditions Which Are Detrimental to the Public Health, Safety and Welfare of the Community and Constitutes a Blighted Area Under the Terms of the TxCDBG Program.

DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Texas Department of Agriculture provides funding for CDBG non-entitlement communities with a population of 50,000 or less for projects that improve blighted areas and contribute to the health, safety and welfare of the community. Sidewalk replacement for safety and ADA compliance meet the purpose of the grant. Applicants must be an incorporated municipality with a designation as an official Texas Historical Commission Main Street City prior to applying to TxCDBG and must remain a participating city for the duration of the award/contract.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

Fiscal impact is unknown at this time. The match percentage chosen adds points to the Grant scoring. The match for the grant is to be no less than 3.5%. This is a competitive grant; therefore, staff is recommending a match of 10% (10% = \$50,000). Funding is proposed from the fund balance of the general fund but staff will submit to GEDC and GCVB for possible assistance.

ATTACHMENTS:

TxCDBG Program Guidelines

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution and associated documents.

RESOLUTION NO. 2020-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A BLIGHTED AREA UNDER THE TERMS OF THE TxCDBG PROGRAM; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Gonzales has reviewed and evaluated conditions in the Main Street area of the municipality; and

WHEREAS, the City Council has found conditions which are detrimental to the public health and safety within the Main Street area, as follows:

The sidewalks within the designated area are not fully ADA compliant and are detrimental to public safety due to age and deterioration

WHEREAS, the City Council of the City of Gonzales has authorized an application for funding under the TxCDBG Main Street program, as follows:

Replacement of dilapidated sidewalks and meeting ADA requirements

WHEREAS, these project activities will aid in the elimination of blight in the community by replacing dilapidated sidewalks and meeting ADA requirements; and.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. That the area identified by the following boundaries and outline on the map attached hereto as Exhibit "A" as TxCDBG Sidewalk Project Area has been determined to be a blighted area.

Boundaries

Northwest: Saint Lawrence Street

Southeast: Saint Louis Street

Northeast: Saint Joseph Street

Southwest: Saint James Street

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

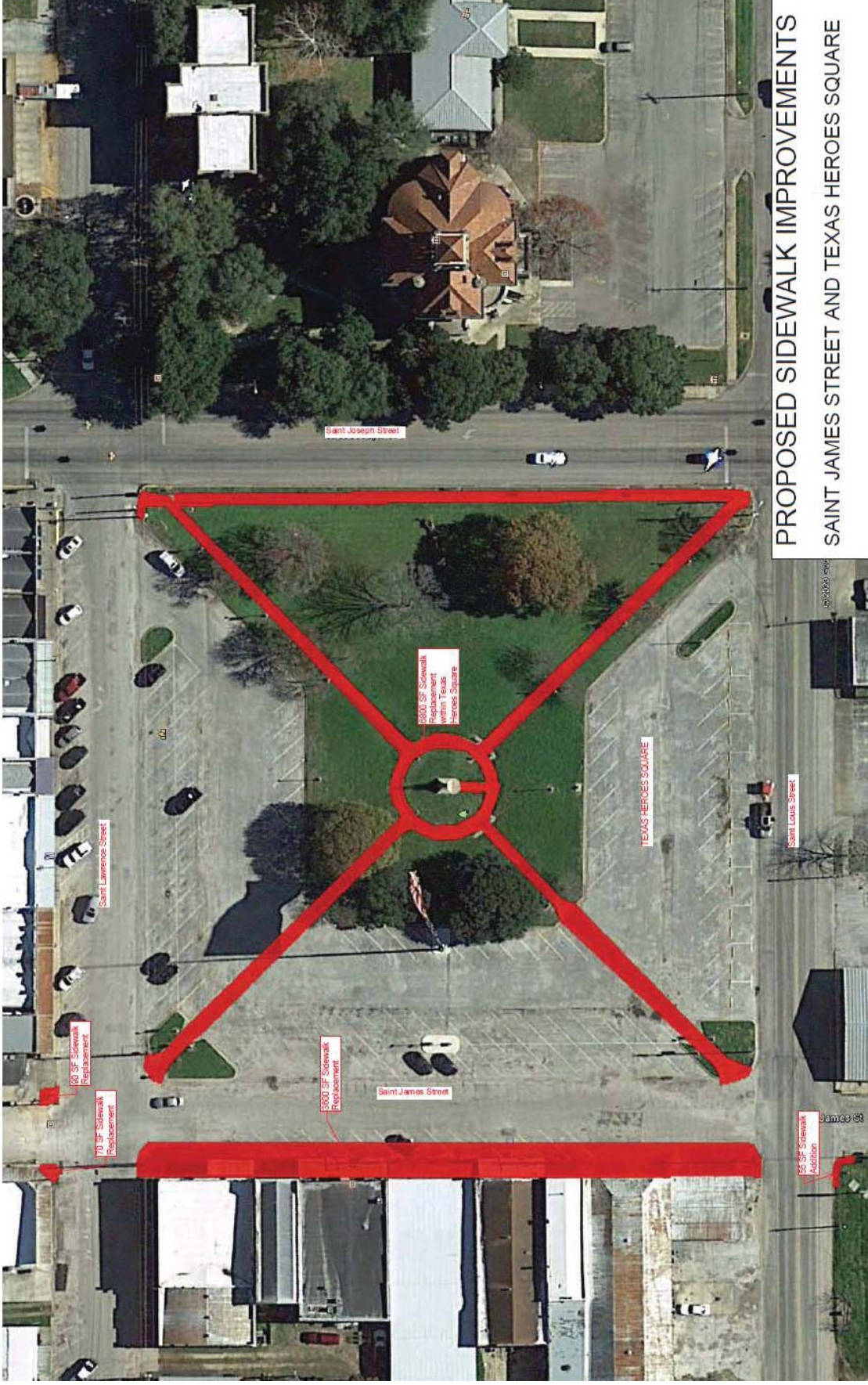
PASSED AND APPROVED this 13 day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

EXHIBIT "A"



PROPOSED SIDEWALK IMPROVEMENTS
SAINT JAMES STREET AND TEXAS HEROES SQUARE

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Conduct a Public Hearing to Discuss, Consider & Possible Action on **Resolution #2020-75** Authorizing the City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas Department of Agriculture for \$570,000 (grant in the amount of up to \$500,000) in TxCDBG Main Street grant funds for Infrastructure Improvements

DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

The Texas Department of Agriculture provides funding for CDBG non-entitlement communities with a population of 50,000 or less for projects that improve blighted areas and contribute to the health, safety and welfare of the community. Sidewalk replacement for safety and ADA compliance meet the purpose of the grant. Applicants must be an incorporated municipality with a designation as an official Texas Historical Commission Main Street City prior to applying to TxCDBG and must remain a participating city for the duration of the award/contract.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

The match for the grant is \$50,000 and will be funded from the fund balance of the general fund but staff will submit to GEDC and GCVB for possible funding.

ATTACHMENTS:

TxCDBG Program Guidelines

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this Resolution and associated documents.

RESOLUTION NO. 2020-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT FROM THE TEXAS DEPARTMENT OF AGRICULTURE (TDA, FOR TxCDBG GRANT FUNDING IN THE AMOUNT OF \$500,000 FOR THE REPLACEMENT AND ADA COMPLIANCE OF SIDEWALKS IN THE HISTORIC GONZALES MAIN STREET AREA; PLEDGING A LOCAL MATCH OF \$50,000 FOR THE GRANT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City supports the acceptance of application for and acceptance of TxCDBG grant funds from the Texas Department of Agriculture for the replacement and ADA compliance of sidewalks in the historic Gonzales Main Street area, to address conditions of deterioration, blight, and non-ADA compliance; and,

WHEREAS, the City will follow all requirements governing implementation and administration of and provide matching local government funds of \$50,000 for TxCDBG grant funding; and

WHEREAS, the City certifies that the TxCDBG grant funds will principally benefit low to moderate income areas of the City.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby authorizes the City Manager to apply for and accept if awarded, TxCDBG grant funding from the Texas Department of Agriculture (TDA) for replacement and ADA compliance of sidewalks in the historic Gonzales Main Street Area.

Section 3. The City Council of the City of Gonzales, Texas hereby pledges a match of \$50,000 from local funds for the TxCDBG grant.

Section 4. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter

of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

Section 9. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 13 day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary



Texas Community Development Block Grant Program

2020 Rural Economic Development
Downtown Revitalization/Main Street Programs

Application Guide

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TxCDBG Goals and Requirements

The goal of the Texas Community Development Block Grant (TxCDBG) Program is to develop viable communities by providing decent housing and a suitable living environment, as well as by expanding economic opportunities, principally for persons of low-to-moderate income. In awarding funding pursuant to Government Code Section 487.351(c), the Texas Department of Agriculture (TDA) shall give priority to eligible activities in the areas of economic development, community development, rural health and rural housing to support workforce development.

The objectives of the TxCDBG Program are:

1. To improve public facilities to meet basic human needs, principally for low-to-moderate income persons;
2. To improve housing conditions, principally for persons of low-to-moderate income;
3. To expand economic opportunities by creating or retaining jobs, principally for low-to-moderate income persons; and
4. To provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature.

Choosing a Prequalified Grantwriter/Administrator

Applicants are responsible for identifying the person or firm that will provide administrative services for the project, if funded. Federal guidance has become increasingly restrictive, and prevents vendors from providing “statements of work” prior to being procured (2 CFR 200.319). In order to ensure objective vendor performance and eliminate a real or apparent unfair competitive advantage, anyone that develops or drafts specifications, requirements, statements of work (including the grant application), invitation for bids, and/or requests for proposals shall be excluded from competing for such procurement. For purposes of the CDBG program, volunteers of an organization and grant writers are considered to be employees, officers, and/or agents of the grant recipient. As such, no volunteer or member of an organization or anyone involved in the application for funding can participate in, or benefit from, the procurement if CDBG funds are involved.

Communities that intend to use outside contractors for administrative and/or engineering services must procure these services **before the provider performs any work** or assists in any way in preparing the application for TxCDBG funding.

In an effort to simplify and streamline the procurement process for communities for contracts valued at less than \$50,000, TDA has solicited Applications to Prequalify Grant Administrators from vendors interested in grant writing and administering TxCDBG projects for the 2020 contract year. Service providers submitted their qualifications directly to TDA. TDA reviewed the proposals based on satisfaction of the minimum qualifications and developed a pre-qualified list of vendors posted on the TDA website.

- Communities submitting an application to TDA for Downtown Revitalization or Main Street funding that intend to use a third-party Grant Administrator **must** solicit administrators (grant writers and/or grant administrators) from the pre-qualified list of vendors.
- Communities will be required to select an administrative service provider through formal action of the locality’s governing body (e.g., City Council action during a city council meeting) **prior to the Grant Administrator preparing the application.** Information about the steps the community must complete and forms necessary to complete the solicitation of an administrator/grant writer can be found on the TDA website.
- Communities that prepare grant applications and administer grant projects using local government employees, or through a subrecipient agreement with a Council of Government (COG), are not required to complete this procurement process; however, TDA may request similar information regarding grant administrator qualifications in the future to ensure administrative capacity.

- Grant recipients that intend to designate a COG as a subrecipient to carry out an eligible activity – such as grant writing and/or grant administration services – must execute a subrecipient agreement (interlocal agreement) before the COG performs any work or assists in any way in preparing the application for TxCDBG funding.
- Refer to Chapter 5 of the Implementation Manual for step-by-step instructions regarding procurement of professional services for contracts greater than \$50,000 and/or Engineering Services.

Application Submittal and Deadline Requirements

The application procedures for the 2020 Downtown Revitalization (DRP) and Main Street (MS) Programs are included in this Application Guide. The applications for the 2020 DRP/MS Fund are available at www.TexasAgriculture.gov. The procedures in this application guide supersede those published in all previous DRP/MS application guides.

The Downtown Revitalization and Main Street Programs will be available on a competitive basis, to eligible applicants statewide. Applications for the 2020 program year are due by 5:00 p.m. C.T. on September 1, 2020. Applications will not be accepted after 5:00 p.m. on the date due.

The application packet must contain one (1) complete application with original signatures and one (1) copy of the original. The copy may be a paper duplication of the entire application OR a scan of the entire original application, including attachments. Electronic copies may be emailed to cdbgapps@TexasAgriculture.gov or submitted on a CD or flash drive.

TDA will be accepting Downtown Revitalization and Main Street Program applications on the same date.

1. Each applicant must submit a complete application to TDA. No changes to the application will be allowed after the application deadline date, unless they are a result of TDA recommendations.
2. Applications will be ranked by score for each fund, from high to low and tie-breakers may be used.
3. Applications within the funding range for each fund are reviewed for eligibility and completeness in descending order based on their score.

Contact Information

Mailing Address (for U.S. Postal Service): Texas Department of Agriculture Texas Community Development Block Grant Program Post Office Box 12847, Capitol Station Austin, Texas 78711	Physical Address (for Overnight Carriers): 1700 Congress Avenue, 11 th Floor Mailroom Austin, Texas 78701
Physical Address (for Hand Delivery): 1700 Congress Avenue, 2nd Floor Austin, Texas 78701	Telephone (for Technical Assistance): Crystal Ortegon 512-936-0286

Any application that is incomplete, noncompliant with program requirements, or received late will be disqualified. Applications lacking information necessary to make a determination concerning the eligibility of the activity (e.g., slum and blight designation) or compliance with TxCDBG and Federal program requirements (e.g., citizen participation requirements) will be disqualified. A substantially complete DRP/MS application must include all of the following information:

- A completed 424 Form with original signature;
- All application forms, fully completed;
- A passed/adopted Local Government Resolution authorizing submission of the application;
- Evidence of compliance with the TxCDBG Citizen Participation Plan including the Public Hearing Notice;
- Legible, quality maps;
- Applicant's Annual Audit (See Attachments Section) and;

- Documentation of an active SAM Registration (See Attachments Section).

Applications lacking any of the items listed above will be disqualified. An Application Review Checklist is located at the end of the Application Guide. Applicants must verify that the application is complete using the checklist.

Completed applications received by the deadline may be subject to disqualification including but not limited to any of the following reasons:

- The applicant is not a unit of general local government;
- The project is located in an entitlement area;
- The application contains ineligible activities;
- The applicant does not comply with the TxCDBG Citizen Participation Plan requirements;
- The applicant does not meet the Applicant Performance Threshold Requirements;
- The application contains false information;
- The application does not contain adequate or acceptable information to show that each proposed application activity meets the applicable National Program Objective (e.g., slum/blight resolution);
- The application does not comply with the requirement concerning the preparation of an assessment of the applicant's housing and community development needs prior to submission of a TxCDBG application;
- The applicant does not respond, refuses to respond, or does not provide an adequate response to requests for revisions or additional information within the prescribed timeline;

The requirements and procedures specified in the Annual Action Plan and the Texas Administrative Code will govern the 2020 Main Street and Downtown Revitalization Programs application process. The Action Plan is available on the TDA website at www.TexasAgriculture.gov

Eligible applicants are incorporated cities not participating or designated as eligible to participate in the entitlement portion of the federal Community Development Block Grant Program. Non-entitlement cities that are not participating in urban county programs through existing participation agreements are eligible applicants unless the city's population counts toward the urban county CDBG allocation.

Non-entitlement cities are located predominately in rural areas and are generally:

- cities with populations of less than 50,000 persons;
- cities that are not designated as a central city of a metropolitan statistical area; or
- cities that are not participating in urban county programs.

Eligible Downtown Revitalization Applicants

Eligible applicants must be an incorporated municipality and not be designated as an official Texas Historical Commission Main Street City. To determine eligibility of a particular city, contact TDA. The city is responsible for the administration and success of the project throughout the term of the contract.

All proposed infrastructure improvements to be funded by the TxCDBG Program must be located on public property within the designated downtown district. Typically, a downtown district will meet 2 or more of the following:

1. The city's historic area of commerce;
2. May be the area around the courthouse or city square;
3. Commercial area for the community;
4. Buildings of historical significance, but not primarily residential;
5. Must be areas included in or contiguous to the economic center of the community; and
6. The retail area for the community that does not include single-family dwellings.

Eligible Main Street Revitalization Applicants

Eligible applicants must be an incorporated municipality with a designation as an official Texas Historical Commission (THC) Main Street City prior to applying to TxCDBG and must remain a participating city for the duration of the award/contract. To determine eligibility of a particular city, contact TDA. The city is responsible for the administration and success of the project throughout the term of the contract.

All proposed infrastructure improvements to be funded by the TxCDBG Program must be located on public property within the designated Main Street area.

Funding Request Amounts

This represents the minimum and maximum amount that may be requested/awarded for a project. These amounts apply to any project funded under the Downtown Revitalization and Main Street Programs.

Minimum \$50,000

Maximum \$500,000

The program can fund only the actual, allowable, and reasonable costs of the proposed project, and may not exceed these amounts. All projects awarded under the TxCDBG program are subject to final agreement between TDA and the applicant regarding the final award amount, but at no time will the award exceed the amount originally requested in the application.

Eligible Activities

TxCDBG monies are only available for public infrastructure improvements or activities explicitly needed to eliminate slum and blight conditions in the downtown or main street area. For all proposed uses, requested funds may not exceed the minimum necessary to meet the needs of the area. Excess/speculative improvements, extra connections or excessive looping will not be funded.

TxCDBG monies are to reimburse a city for eligible expenditures it has made or incurred, rather than advance payments. These reimbursements will be only for work/materials actually completed/delivered. Cities are responsible to pay construction contractors according to the terms of their agreements. TxCDBG monies are available to reimburse cities for construction draws when they are in compliance with the terms of their TxCDBG contract. Failure to comply with the terms of the TxCDBG contract does not relieve the city of its liability to pay contractors.

Funds may be provided for the following:

- Sidewalks and lighting,
- Activities required to eliminate architectural barriers for the disabled.
- Water lines, storage and pumping facilities, and related items
- Sewer lines, lift stations, and related items
- Road construction/renovation, to include curb and gutter and related drainage.
- Natural gas lines and related items.
- Electric power lines and transformers.
- Utilities including natural gas, and electric
- High-speed internet infrastructure, with prior approval from TDA
- Award administration
- Demolition and clearance activity of non-residential structures.

Ineligible Activities

The applicant may not use funds for the following:

- Grant or otherwise transfer TxCDBG monies to a business.
- Speculation, investment or excess improvements over the minimum improvements needed for the area.
- Building rehabilitation, building construction, machinery, equipment, or working capital.
- Landscaping, benches, ornamental signs or trash cans.
- Operation & maintenance activities, such as re-striping or sealcoating
- Refinancing or to repay the applicant, a local related economic development entity, a benefiting business or its owners and related parties for expenditures.
- Demolition of a historic building and/or housing units
- Parking facilities and parking lots

National Program Objective (NPO)

A city must meet all the following requirements in order for its application to be considered.

Proposed activities must address the NPO of eliminating slum or blight. The requested assistance must be for public infrastructure improvements which will address one or more of the conditions that contributed to the deterioration of an area designated as slum or blighted in the downtown or main street area of the community. To qualify under this objective, the area **must**:

1. be officially designated by the applicant through passed/adopted city council resolution (see Sample, Appendix II);
2. meet a definition of a slum, blighted, deteriorated, or deteriorating area under State or local law; and
3. exhibit physical signs of blight or decay.

The documentation required to show that this objective will be met must include a designation of the boundaries of the area, a description of the conditions which qualified it as slum or blighted at the time of its designation, and the way in which each activity addresses one or more of the conditions that qualified the area as slum or blighted. The official designation of an area as slum or blighted should be within 5 years of the application deadline.

An area within a municipality may be considered as slum or blighted if the area is detrimental to the public health, safety, morals, and welfare of the municipality because the area:

1. Has a predominance of buildings or other improvements that are dilapidated, deteriorated, or obsolete due to age or other reasons;
2. Is prone to high population densities and overcrowding due to inadequate provision for open space;
3. Is composed of open land that, because of its location within municipal limits, is necessary for sound community growth through replatting, planning, and development for predominantly residential uses; or
4. Has conditions that exist which:
 - a. Endanger life or property by fire or other causes; or
 - b. Are conducive to the ill health of the residents, disease transmission, abnormally high rates of infant mortality, abnormally high rates of juvenile delinquency and crime, or disorderly development because of inadequate or improper platting for adequate residential development of lots, streets, and public utilities.

Applicant Performance Threshold Requirements

1. Demonstrate the ability to manage and administer the proposed project, including delivery of all the proposed benefits outlined in the application.
2. Demonstrate the financial management capacity to operate and maintain any improvements made in conjunction with the proposed project.
3. Levy a local property tax or local sales tax option.
4. Demonstrate satisfactory performance on prior and existing TxCDBG contracts and resolve all outstanding compliance and audit findings related to previous TxCDBG awards.
5. Main Street applicants must be in good standing and in compliance with the THC's Main Street Program.

Applicant thresholds will apply to DRP/MS applications. The applicant must demonstrate progress in all current open contracts to be eligible to submit an application. See the following threshold requirements for all TxCDBG fund categories:

Fund Category	Contract Period	Progress Threshold #1	Progress Threshold #2
Disaster Relief	12 months	Obligate 50% of TxCDBG contract funds at 9 months	Construction complete, PCR and final draw submitted at 12 months
FAST Fund	12 months	Obligate 50% of TxCDBG contract funds at 9 months	Construction complete, PCR and final draw submitted at 12 months
Community Development	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Downtown Revitalization/Main Street	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Colonia Fund (Except Self-Help)	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Planning Capacity Building	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Planning complete, reports & maps and final draw submitted at 24 months
Community Enhancement	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
TCF Infrastructure/Real Estate	36 months	Obligate 50% of TxCDBG contract funds at 18 months	Construction complete, PCR and final draw submitted at 36 months

Matching Funds

At a minimum, TxCDBG monies must be matched with a minimum of 3.5% of the requested grant amount in the form of cash from the city. Additional match contributions may earn additional points in the scoring process. Additional match may come from other eligible sources. Reimbursable and matching funds may not be spent or incurred prior to a contract execution date from the TxCDBG program.

Match funds are valid only if committed for activities proposed for funding with TxCDBG funds and the match funds will be used for activities that are directly related to supporting the proposed activities for TxCDBG funding.

Matching funds must comply with all TxCDBG requirements in order to be considered eligible.

NOTE: Matching funds from other state and federal sources are ineligible for DRP or MS.

All force account or in-kind services may be applied only towards match in excess of the minimum required 3.5% cash contribution.

Force Account Equipment Use (in-kind service)

The value of in-kind equipment use match for equipment owned by the locality must be based on a use allowance or depreciation (both cannot be used for the same piece of equipment) and cannot be based on the estimated rental cost of such equipment if already owned by the locality.

To document the value of estimated in-kind equipment use match based on a use allowance, the applicant may use equipment hourly rates and mileage rates established by the Federal Emergency Management Agency (available from TDA upon request).

Depreciation value may be used only if the equipment is not already fully depreciated and the schedule is based on acquisition cost. The applicant must provide an attachment/schedule that shows how the value of the match was determined.

If determining value by use allowance, the schedule must include a list of the equipment (including the capacity or size of the equipment), the hourly use rate or mileage rate, and the number of estimated hours or miles that each piece of equipment will be used on project related activities.

If determining value based on depreciation, the schedule must include a list of the equipment, the depreciation schedule, and the acquisition cost of each piece of equipment.

Existing Revolving Loan Funds / Program Income

If the applicant has an existing Revolving Loan Fund that is active with TDA, the program income collected through this program may be used as matching funds.

Note: in order to receive TxCDBG economic development funding, including DRP/MS funding, an Applicant's RLF program must either be determined to be actively revolving the available funds or the Applicant must expend the program income for approved, eligible expenses prior to accessing other TxCDBG economic development funding.

Scoring Criteria (Max. 100 Total Points)

Poverty Rate (10 Points): Awarded if the applicant's annual poverty rate is higher than or equal to the annual state poverty rate using the most recently available American Community Survey (ACS) 5-year estimate as follows:	
Poverty rate meets or exceeds the state average	5 Points
Poverty rate is 115% of the state average	10 Points
Median Household Income (10 Points): Awarded if the applicant's median household income is lower than or equal to the annual state household income using the most recent ACS 5-year estimate as follows:	
Median household income is lower than or equal to state median household income	5 Points
Median household income is 85% of the state median household income	10 Points
Unemployment Rate (5 Points): Awarded if the applicant's unemployment rate meets or exceeds the state unemployment rate using the most recent ACS 5-year estimate as follows:	
Unemployment rate meets or exceeds the state unemployment rate	5 Points
Leverage/Match (15 Points): A minimum 3.5% cash match is required. Awarded for the commitment of additional matching funds is relative to the amount of CDBG funds requested as follows:	
Match equals at least 5% of TxCDBG Request	5 Points
Match equals at least 10% of TxCDBG Request	10 Points
Match equals at least 15% of TxCDBG Request	15 Points
Additional match may be cash and/or in-kind. The applicant must provide a resolution from the city council authorizing the match expenditure. The resolution must include the commitment amount and the proposed use of the funds. If other eligible sources of funding are injected into the project, a commitment letter from the sources must also be submitted.	
Economic Development Consideration (5 Points): Awarded if the city has passed an economic development tax.	
City has passed and adopted local economic development tax	5 Points
Sidewalks and ADA Compliance (5 Points): Awarded for the percentage of CDBG funds requested for sidewalk/ADA compliance relative to the total CDBG funds requested.	
50% or more of the requested funds will be used for sidewalk and/or ADA compliance activities	5 Points
Note: Each activity funded by TxCDBG, regardless of type, must address one or more of the conditions that qualified the area as an area of slum or blight.	
Community Organization Support (5 Points): Awarded to applicants providing a letter from at least one of the following organizations: The County Historic Preservation Commission, the local design review board, the Economic Development Corporation or the Chamber of Commerce supporting the project and describing how the project enhances the community's historic assets and historic preservation goals	
Applicant submitted support letter from qualifying organization	5 Points

Benefit to Low- to-Moderate Income (LMI) Population (10 Points): Awarded if the applicant's citywide LMI population is greater than 51% using 2019 Low to Moderate Income Summary Data (LMISD) PLACE data as follows:

$\text{LMI \%} - 50.00 = \text{number of points calculated to the nearest hundredth decimal place (up to 10 Points).}$

For example: The City of Scoresville's LMISD PLACE data indicates its LMI percentage is 56.87%.

$$56.87 - 50 = 6.87 \text{ points}$$

All scores over 10 points will be capped at the 10 point maximum.

This information may be obtained from the most recent income limits on the U.S. Department of Housing and Urban Development's website.

Application Completeness (10 Points): Score up to 10 points if an application is submitted fully complete, with all required attachments and supporting documentation. Two (2) points will be deducted, per occurrence, for the following if not included with the originally submitted application, are not complete, or are not consistent with the overall application:

- Amount of grant funds requested and matching funds committed are consistent throughout the application (Form 424, Table 1, Table 2, local government resolution, etc.)
- Number of beneficiaries is consistent throughout the application
- All mathematical tabulations are correct
- Other inconsistencies / deficiencies that require clarification
- Project description clearly identifies how proposed project activities will aid in the elimination of slum and/or blight conditions that have been identified by the community
- Application includes estimated linear footage for proposed sidewalk and street activities.
 - Note: Table 2 may include units in square yards (s.y.) so long as linear footage (l.f.) is also listed in the project summary section.

Previous Funding (15 Points):

Applicant has received 1 DRP or MS award in the previous two (2) fund cycles	8 Points
Applicant has received 0 DRP or MS awards in the previous two (2) fund cycles	15 Points
Applicant has received 2 DRP or MS awards in the previous two (2) fund cycles	0 Points

Main Street Application Scoring Criteria (10 Points):

Main Street (MS) applicants ONLY will be scored on the following criteria.

Applicant's continuous participation in the Main Street program	1 point for every calendar years of continuous participation in the Main Street program
---	---

Points will not be broken into half points for increments less than one year. If a city leaves the Main Street program and then returns at a later date, "continuous participation" will be calculated from the year the applicant returned to

the program. Applicants will receive the maximum amount of points if they have participated in the program for 10 continuous years.

Downtown Revitalization Application Scoring Criteria (10 Points):

Downtown Revitalization (DRP) applicants ONLY will be scored on the following criteria.

Applicant actively participates in and/or financially supports an economic development organization, such as an Economic Development Corporation	1 point for every calendar year of continuous participation in a local economic development organization
--	--

Points will not be broken into half points for increments less than two-years. If a city ceases to participate in the economic development organization, and then resumes participation at a later date, "continuous participation" will be calculated from the year the applicant resumed participation. Applicants will receive the maximum amount of points if they have participated in the program for 10 continuous years.

Scoring Tie-Breaker

In the event of a tie score and insufficient funds to approve all applications, the following tie breaker criteria will be used for both DRP and MS.

First-The tying applications are ranked from lowest to highest based on applicant's most recently available American Community Survey 5-yr Estimates poverty rate. Thus, preference is given to the applicant with the higher poverty rate. This information may be obtained from the Census Department's American Fact Finder website: <http://factfinder2.census.gov/main.html>. A copy of this documentation must be included with the score sheet in the application.

Second-If a tie still exists after applying the first criteria then applications are ranked from highest to lowest based on the most recently available American Community Survey 5-yr Estimates unemployment rate. Thus, preference is given to the applicant with the higher unemployment rate. This information may be obtained from the Census Department's American Fact Finder website: <http://factfinder2.census.gov/main.html>. A copy of this documentation must be included with the score sheet in the application.

Section 106 Compliance

Each applicant is required to provide verification of compliance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 300101 et seq.) as described. The regulation requires the applicant to consult with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR 800.8) by the activity, and notifying the federal grantor agency of the existence of any such properties. In addition, the applicant must comply with all requirements established by the federal grantor agency to avoid or mitigate adverse effects upon such properties.

The application must include a copy of the letter submitted for determination of historic district eligibility to the History Division's National Register Program, at the Texas Historical Commission and any written response. A verification of electronic submission through THC's E-TRAC system or fax copy of this letter will be acceptable. If grant award is received and eligibility or existence of a National Historic District is determined, the project construction plans must be submitted to the Architecture Division at the Texas Historical Commission in order to be in compliance with Section 106 of the National Historic Preservation Act of 1966, Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (54 U.S.C. 312501 et seq.). Please contact THC for more information.

Additional information about the National Historic Preservation Act and the Section 106 process may be obtained from the following web sites:

- Advisory Council on Historic Preservation web site: <http://www.achp.gov/>
- Advisory Council on Historic Preservation, National Historic Preservation Act/Section 106 guidance: <http://www.achp.gov/work106.html>
- "Protecting Historic Properties, A Citizen's Guide to Section 106 Review": <http://www.achp.gov/pubs-citizensguide.html>
- Section 106 reviewer contacts from Archeology and History Programs can be found at: <http://www.thc.state.tx.us/about/contact>

TxDOT Compliance

Each applicant will be required to indicate whether the proposed infrastructure improvements will be located within a Texas Department of Transportation (TxDOT) controlled highway, road, or right of way. If yes, the applicant will be required to provide documentation to TDA which indicates that the applicant has notified and/or consulted with TxDOT of its proposed improvements prior to the TxCDBG contract execution date.

ADA/Architectural Barriers Act

State law requires that all projects involving any building, parking lot and/or sidewalk construction activities, regardless of source of funding, must ensure that plans and specifications will be in compliance with the requirements concerning the elimination of architectural barriers encountered by persons with disabilities, as specified in Chapter 469 of the Texas Government Code and the rules promulgated thereunder (Title 16, Part 4, Chapter 68 of the Texas Administrative Code), and be submitted to the Texas Department of Licensing and Regulation (TDLR) for review, as required by the Texas Architectural Barriers Act. The plans and specifications shall be sent to the Texas Department of Licensing and Regulations, Architectural Barriers Division, P.O. Box 12157, Austin, Texas 78711.

Additionally, all communities must ensure that all their project activities are in compliance with all provisions of the Americans with Disabilities Act (ADA).

Citizen Participation Plan Requirements

Each applicant must complete a citizen participation process that complies with the TxCDBG Citizen Participation Plan requirements as described in this guide prior to submitting an application.

A locality can only receive a TxCDBG grant if the locality certifies that it follows a detailed citizen participation plan that provides for and encourages citizen participation at all stages of the program. A locality must provide satisfactory documentation and certify the completion of a detailed and compliant citizen participation plan in its application.

TxCDBG applicants and funded localities are required to carry out citizen participation in accordance with the Citizen Participation Plan adopted for the TxCDBG Program. Each applicant certifies by signing a 424 Form that it has and will comply with the requirements of this Citizen Participation Plan including taking reasonable steps to ensure access for persons with Limited English Proficiency (LEP) by providing language assistance as appropriate.

Each applicant must maintain a citizen participation file that includes a copy of this Plan, the LEP plan, the applicant's complaint procedures, any technical assistance provided by the applicant, and public notices, minutes, and attendance lists for public hearings.

Complaint Procedures:

The applicant must have written citizen complaint procedures that provide a timely written response to complaints and grievances. Citizens must be made aware of the location, days, and hours when copies of the plan are available.

Technical Assistance:

When requested, the applicant shall provide technical assistance to groups representative of persons of low-to-moderate income in developing proposals for the use of TxCDBG funds. The level and type of assistance shall be determined by the applicant based upon the specific needs of the community's residents.

Public Hearing Provisions:

For public hearings scheduled and conducted by a TxCDBG applicant, the following public hearing provisions must be observed:

1. Public notice of the hearings must be given in one of the following ways:
 - a. Published in a local newspaper at least seventy-two (72) hours prior to the scheduled hearing; or
 - b. Published on applicant's website AND posted in public places (e.g. city hall/county courthouse) at least seventy-two (72) hours prior to the scheduled hearing.

The public notice must include the date, time, location and topics to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.

2. The public hearing must be held at a time and location convenient to potential or actual beneficiaries and include accommodations for persons with disabilities. Furthermore, the applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to each hearing. The public hearing must be held after 5:00 p.m. on a weekday or at a convenient time on a Saturday or Sunday.
3. When a significant number of non-English speaking residents are expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking residents.

Applicants must comply with the following citizen participation requirements for the preparation and submission of an application to the TxCDBG program:

1. The public hearing must occur **prior** to the adoption of the local government resolution authorizing the submission of the application.
2. The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of three years after the application deadline, or as specified by other program requirements. Such records must be available to the public in accordance with Chapter 552, Government Code.
3. The public hearing must meet the following TxCDBG notification requirements and include a discussion with citizens covering the following topics:
 - The development of housing and community development needs.
 - The amount of funding available.
 - All eligible activities under the Texas Community Development Block Grant Program.
 - The applicant's use of past TxCDBG contract funds, if applicable.
 - The estimated amount of funds proposed for activities that will meet the national objective of benefit to low-to-moderate income persons.
 - The plans of the locality to minimize displacement of persons and to assist persons actually displaced as a result of activities assisted with TxCDBG funds, if applicable.

Citizens must be encouraged to submit their views and proposals regarding community development and housing needs, with particular emphasis on persons of low-to-moderate income who are residents of slum or blighted areas. Local organizations that provide services or housing for low-to-moderate income persons, including the local Public Housing Authority, the local Health and Human Services office, the local Mental Health and Mental Retardation office, and other local service providers such as Faith-Based organizations, must receive written notification concerning the date, time, location and topics to be covered at the public hearing. Citizens must be made aware of the location where they

may submit their views and proposals in case they are unable to attend the public hearing. While more than one application may be discussed at the public hearing, a hearing held for the previous program year's submission of the same application does not satisfy the requirements for any subsequent competition.

A community must provide reasonable notice of the availability of a proposed application in order to afford affected citizens an opportunity to examine the application's contents to determine the degree to which they may be affected, and to submit comments on the proposed application. This requirement may be met by publishing a summary of the proposed application in one or more local newspapers of general circulation at least five (5) days prior to submitting the application to TDA, and by making copies of the proposed application available at libraries, government offices, and public places.

1. At least five (5) days prior to the submission of an application for TxCDBG funds, the applicant must publish a public notice that includes the following information:
 - The TxCDBG fund categories for which applications will be submitted.
 - The amount of TxCDBG funds requested in each application.
 - A short description of the proposed project activities in each application.
 - The locations of the project activities included in each application.
 - The location and hours when the application will be available for public review.
2. Public notice must be given in one of the following ways:
 - a. Published in a local newspaper at least five (5) days prior to application submittal; or
 - b. Published on applicant's website AND posted in public places (e.g. city hall/county courthouse) at least five (5) days prior to application submittal.
3. In the preparation of the final application, the community shall consider comments and views received related to the proposed application and may, if appropriate, modify the final application prior to submission of the application to TDA. The final application shall be made available to the public.

Applicants must comply with the following citizen participation requirements in the event that the application is successful:

- The locality must hold a public hearing concerning any proposed substantial change, as determined by TDA, in the use of TxCDBG funds from one eligible activity to another. The locality must provide citizens with reasonable advance notice of and opportunity to comment on activities which are proposed to be added, deleted or substantially changed from the locality's application
- Upon completion of the activities, the locality shall hold a public hearing and review its program performance, including the actual use of TxCDBG funds.
- The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for the greater of:
 - Three years after close-out of the U.S. Department of Housing and Urban Development's (HUD) grant to the State of Texas (please see TDA website)
 - If notified by TDA in writing, the date that the final audit is accepted with all audit issues resolved to TDA's satisfaction (Please see date of TDA audit acceptance letter if applicable); or
 - A date consistent with the period required by other applicable laws and regulations as described in 24 CFR 570.490 and 2 CFR 200.333.

The applicant certifies compliance with the TxCDBG Citizen Participation Plan requirements by signing the 424 form. Failure to comply with these requirements may result in disqualification of the application.

Local Certifications

Each applicant for TxCDBG funding must certify by signing the 424 Form that it has adhered to the Local Certifications included in this application guide in the preparation of any TxCDBG application. Adherence to these certifications must be ongoing in the event that the application is successful.

With respect to the expenditure of funds provided under a TxCDBG contract, each TxCDBG contractor is required to certify that:

1. It will minimize displacement of persons as a result of activities assisted with such funds.
2. The program will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 USC 2000d *et seq.*) and the Fair Housing Act (42 USC 3601 *et seq.*), and that it will affirmatively further fair housing, as specified by TDA.
3. It will provide opportunities for citizen participation, hearings and access to information with respect to its community development programs, and that it is following the TxCDBG Program Citizen Participation Plan.
4. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of low-to-moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless: (A) such funds are used to pay the proportion of such fee or assessment related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (B) for purposes of assessing any amount against properties owned and occupied by persons of low-to-moderate income who are not persons of very low income, the contractor certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (A).
5. It will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Federal implementing regulations at 49 CFR Part 24, and the requirements of section 570.606 including the following of a residential anti-displacement and relocation assistance plan, as specified by TDA, in the event that displacement of residential dwellings will occur in connection with a project assisted with TxCDBG funds.
6. It has adopted or will adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
7. To the best of the TxCDBG contractors' knowledge and belief, no Federal appropriated funds have been paid or will be paid, by or on behalf of the TxCDBG Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
8. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the TxCDBG Contractor shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
9. The TxCDBG contractor must require that the language of this certification be included in the award documents for all sub-awards at all levels (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Minority Participation/Local Opportunity

The TxCDBG Program encourages localities to affirmatively take action to utilize small, minority (MBE) and women-owned (WBE) businesses whenever possible. Although funded localities are not directly responsible for meeting a specific minority business participation goal, TxCDBG reports to HUD on the levels of MBE and WBE hiring under all CDBG contracts. To increase participation of small, minority and women owned-businesses, localities may use the Texas Comptroller of Public Accounts Historically Underutilized Business (HUB) Directory. Also in accordance with Section 3 of the Housing and Urban Development Act of 1968, successful applicants using CDBG funding for housing or other public construction are required, to the greatest extent feasible, to provide training and employment opportunities to lower-income residents and contract opportunities to businesses in the project area.

Fair Housing Activities

Any locality receiving funds under the TxCDBG Program must certify that it will affirmatively further fair housing choice. Each funded locality must conduct at least one fair housing activity during the contract period, even if the locality is currently undertaking fair housing activities. Activities that qualify as affirmatively furthering fair housing include, but are not limited to, the following:

- Cities may pass a fair housing ordinance and publicize the existence of such an ordinance.
- Counties may adopt written fair housing policies and procedures that are equivalent to a fair housing ordinance and publicize the existence of such policies.
- The development of a strategy to pass a fair housing ordinance to be evidenced by public hearings and input from interested parties.
- The establishment of a written local complaint and monitoring process and notification to the public of its existence.
- The initiation of a fair housing counseling referral service that provides housing choices outside historically minority and/or low-to-moderate income neighborhoods to be evidenced by adoption of written procedures and publication of the availability of such service.
- The completion of a community-wide housing analysis to determine impediments to fair housing and actions to eliminate these impediments.
- The designation of April, or some other month, as Fair Housing Month through resolution or proclamation along with at least one other activity to support fair housing.

In addition, communities that receive CDBG funds, chief elected officials, and third party consultants may be required to have Fair Housing training. Training will be offered at both on-site workshops and state-wide webinars.

Conflict of Interest

Applicants to the TxCDBG Program must avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For the procurement of goods and services, no employee, officer, or agent of the Grant Recipient or subrecipient may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. (24 CFR 570.489(g), Uniform Grant Management Standards (UGMS) of the Texas Comptroller of Public Accounts, 2 CFR 200.318(c)(1)).

For all other cases other than the procurement of goods and services, non-procurement conflict of interest provisions are applicable to any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards.

Under these provisions, a conflict of interest would exist if an employee, elected official, or their family members receive benefit from an activity. For example, if a member of a mayor's family was selected to receive CDBG assistance or would benefit from or receive a CDBG award, abstention from voting does not clear the conflict of interest. Another example where a conflict of interest would exist (business ties) is a situation where a consultant, who is employed by an engineering firm, has been selected by a city to provide administration services for the TxCDBG contract and the city is considering the selection of an engineer from that same firm to provide engineering services for the TxCDBG contract.

TDA may grant an exception to the non-procurement conflict of interest provisions on a case-by-case basis if it determines that such exception will serve to further the purpose of the TxCDBG Program and the effective and efficient

administration of the project. An exception may be considered only upon written request from the city that includes the following documentation:

- A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made.
- An opinion of the attorney for the city that the interest for which the exception is sought would not violate state or local law.
- Whether the exception would provide a significant cost benefit or an essential degree of expertise to the project that would not be available otherwise.
- Whether an opportunity was provided for open competitive bidding or negotiation.
- Whether the person affected is a member of a group or class of low or moderate income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class.
- Whether the person affected has withdrawn from his/her functions or responsibilities, or the decision making process with respect to the specific assisted activity in question.
- Whether the interest or benefit was present before the affected person was in the position as an employee, agent, consultant, officer, or elected official of the city, or of any designated public agencies, or sub-recipients that are receiving CDBG funds.
- Whether undue hardship will result to the city or the persons affected when weighed against the public interest served by avoiding the prohibited conflict.
- Any other relevant considerations.

Federal Funding Accountability and Transparency Act (FFATA)

In September 2006 the President signed the Federal Funding Accountability and Transparency Act (FFATA) requiring the Office of Management and Budget (OMB) to develop a publicly available, free-of-charge, searchable website on federal funding. Federal funding includes grants, sub-grants, loans, awards, cooperative agreements, and other forms of financial assistance. On April 6, 2010, the OMB issued a memorandum outlining responsibilities for State agencies making sub-awards with Federal funds.

Beginning October 1, 2010, TDA is responsible for reporting data on each TxCDBG award, which will be entered into the usaspending.gov database. This data includes:

- The name of the entity receiving the award;
- The amount of the award;
- Information on the award, including transaction type, funding agency, Catalog of Federal Domestic Assistance (CFDA) number, program source, and a descriptive award title;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, state, congressional district, and county; and
- The Data Universal Numbering System (DUNS) number for the entity receiving the award.

Additional information deemed relevant by the OMB must also be provided, and all information is due no more than thirty days after a grant is awarded.

In addition, applicants must register on the System for Award Management (SAM) and entities must have an active registration to receive CDBG funding. Information on SAM registration is available at <https://www.sam.gov>.

A new SAM registration can take an average of 7 to 10 business days to process. SAM must validate information with outside parties before the registration can be activated (including TIN validation with the IRS and Commercial and Government Entity Code (CAGE) validation/assignment with the Department of Defense. This timeframe may be longer if the information provided is flagged for manual validation by these entities. The contractor will receive an email notification once the registration is active.

False Information on Applications

The following actions may be taken, on a case-by-case basis, where TDA finds that an applicant provided false information in its application for TxCDBG funding.

If the applicant provides false information in a TxCDBG Fund application that has the effect of increasing the applicant's competitive advantage, or false beneficiary information that increases the number or percentage of potential beneficiaries, TDA TxCDBG staff shall make a recommendation for action to the Director of the State TxCDBG Program.

Actions that the Director may make include, but are not limited to:

1. Disqualification of the application and holding the locality ineligible to apply for TxCDBG funding for a period of at least one year not to exceed two program years.
2. Even if an award has been made, the locality may be liable for funds expended if adjustment to the scores would have resulted in a change in rankings for the purpose of funding.
3. Holding the locality ineligible to apply for TxCDBG funding for a period of two program years or until any issue of restitution is resolved, whichever is longer.

An applicant may appeal a decision of the State TxCDBG Director by filing an appeal with the Administrator of the Office of Rural Affairs.

Appeals Process

Refer to Title 4, Part 1, Chapter 30, Subchapter A, §30.6 of the Texas Administrative Code (TAC).

Application Instructions

Cover Sheet

Select the application type from the dropdown box highlighted in red. Selecting the application type also selects the appropriate program's scoring sheet. Failure to select the correct application type may result in disqualification of the application. Enter the applicant's name in the space provided. The applicant's name will then appear in the footer of every page in the application.

Application Checklist

Carefully read the list of required attachments and application forms located on page 32 of this guide, checking off each completed item. This minimizes the likelihood of serious deficiencies or disqualification.

424 Form

The numbered sections below coincide with the numbered fields on the 424 Form. All information is required unless otherwise noted. The applicant must provide an email address, as indicated, in box 18.

1. **Type of Submission-** Under the Application column, select either Construction or Non-Construction. The majority of TxCDBG applications, except for Planning-only applications, include some construction activities.
2. **Date Submitted-** To use the calendar provided, click on the drop-down arrow on the right side of the box.
3. **Date Received by State** – Leave this field blank.
4. **Date Received by Federal Agency** – Leave this field blank.
5. **Applicant Information-** Provide the applicant's Legal Name (e.g., City of ABC, ABC County) and the Organizational Unit (can be the same as the Legal Name). **Mailing address, telephone number, fax number, and email address are required for both the applicant and the application preparer.** The applicant's physical address and county are also required.

6. **Employer Identification Number**– Also known as the Federal Tax ID, this 14-digit number is required to facilitate disbursement of funds.
- 6a. **DUNS Number** – All applicants must have a Data Universal Numbering System number to apply for Federal funds. The DUNS number is a nine-character identification number provided by Dun and Bradstreet. There is no charge to obtain a DUNS number. For additional information, visit the Dun and Bradstreet website at www.dnb.com. Failure to provide the applicant’s DUNS number at the application stage may result in delayed award disbursement. The DUNS number is also required to be registered with the System for Award Management.
7. **Type of Applicant**– Select County or City.
8. **Type of Application**– Check the appropriate box.
9. **Name of Federal/State Agency** – Provided by TDA
10. **Catalog of Federal Domestic Assistance Number** – Provided by TDA
11. **Project Type** – Use the drop-down menu to select the project type that best describes the proposed project. For a project with a benefiting business, use Economic Development Direct Financial Assistance - For Profit. 11a. **Type of Application** – Provided by TDA
12. **Target Area(s) Affected by the Project**– Briefly identify the target areas of the city affected by the project. Acceptable descriptions would be: "The ABC Community in southeast XYZ County", "The ABC Community and LMN Community in XYZ County", "The ABC Water Supply Corporation Service Area", "The A, B, C, and D Colonias of XYZ County", and "Jollyville neighborhood in the northwest portion of ABC Town".
13. **Applicant’s Fiscal Year** – Indicate the beginning and end dates of the applicant's fiscal year.
14. **Congressional Districts**– Provide the congressional districts of the entity applying for funding, as well as for the proposed project site(s). This information is available through the “Who Represents Me” feature at the Texas State Legislature’s web site: www.fyi.legis.state.tx.us.
15. **Estimated Funding**– Complete each field as follows:
 - A. TxCDBG Request: Amount requested from TDA through this application;
 - B. Federal: Amount committed from federal resources such as RUS or USDA-RD;
 - C. State: Amount committed from state resources such as TWDB;
 - D. Applicant: Amount of match committed by the applicant;
 - E. Local: Amount committed from local resources such as a WSC, WCID, MUD, or any other local entity other than the applicant;
 - F. Other: Amount committed from resources other than those listed above, including cash or equity from the business; and
 - G. Total: This will calculate automatically.
16. **Is application subject to review by State Executive Order 12372 Process?** – For TxCDBG applications, the answer to this question is “No.” Texas Review and Comment System (TRACS) no longer exists for review.
17. **Is the Applicant delinquent on any Federal debt?** If the answer is “Yes,” include an explanation concerning the nature, amount, and date when payment of the debt became delinquent.
18. **Certification**– Before signing the 424 Form, the authorized signatory should read the text in this field carefully and review the Local Certifications and Citizen Participation Plan sections of this guide. Complete all sub-fields prior to signature.

Project Approval Information

This form asks for a variety of information about a proposed project. Please be sure to verify your responses, as TDA staff may rely on this information to make important decisions regarding the project's eligibility and approval status. Some items on this form include follow-up questions that will only appear if necessary. If a question does not apply to the proposed project, select "N/A". Failure to respond to any item on the Project Approval Information form will result in a deficiency notice.

Community Needs Information

List of All Identified Community Needs

Provide a list of all the applicant's identified community development and housing needs, not just those addressed in the application. List the needs in order of importance, using the boxes marked "+" and "x" to add or delete space for additional items.

Community Needs Assessment Questionnaire

Provide the information requested for each item, including information concerning the applicant's past and future efforts to provide affordable housing opportunities in the applicant's jurisdiction and the applicant's past efforts to provide infrastructure improvements through the issuance of general obligation or revenue bonds. A response is required for each item; "None" and "N/A" are acceptable.

Fair Housing Activities

Any locality receiving TxCDBG monies must certify that it will affirmatively further fair housing. Using the drop-down box, identify the activities presently undertaken to affirmatively further fair housing and which new activities will be undertaken if an award is made by TDA. Applicants should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact TDA to determine eligibility.

Citizen Participation Determined the Need in this Application By

Indicate the method(s) used to determine the needs addressed in this application, including the date(s) of each method/assessment. If the exact date is not known, choose the first day of the appropriate month and year. If a city's application includes activities benefiting persons located within the city's ETJ, the applicant must describe how the activity benefiting persons located in the ETJ is meeting the applicant's community development and housing needs, including the needs of low to moderate income persons.

Description of the Need(s) Addressed in This Application

Provide a description of the problem the proposed project will address, including how the proposed improvements will assist the city. TDA will use the information from this section to draft a contract in the event that the application is successful. Please double-check for accuracy and do not use all capital letters.

Project Summary

This section is to be answered for each target area identified within the application and it consists of four questions intended to summarize the most basic aspects of the proposed project(s). Responses will be used to draft a contract if the application is awarded. Ensure the information provided in this section is accurate and in agreement with all other parts of the application. To answer the questions on this form, follow the instructions below:

1. **"Summarize the problem(s) to be addressed within the application by target area."**

Guidance: state the nature of the problem by expanding on the Description of Needs from the previous section, as well as specific locations and the state of existing facilities.

EXAMPLE- The existing sidewalks in the downtown area are deteriorated and present a hazard to individuals in the area. Additionally, sidewalks lack ADA compliant access including wheelchair accessible ramps and handrails.

2. **"Identify the boundaries of the designated downtown district or Main Street area."**

Guidance: Utilizing cardinal boundaries and/or streets, identify the boundaries of the designated downtown district or Main Street area. Lastly, identify the location of the activity/project using cross streets, **or** provide a

brief description/narrative of the location of the activity/target area. Use the “+” box on the right side of the page for additional lines to provide street locations, if necessary (or the “x” box to delete unnecessary ones).

3. **“Identify the action(s) to resolve the problem(s) and their anticipated outcomes. Include specific materials and quantities, as well as any anticipated Acquisition. Provide the proposed description based on the example below and examples in the Application Guide.”**

Guidance: describe what action is required to address the problem, including the type and amount of material (use linear footage for sidewalk and street activity) required for construction activities. For projects that will take place in more than one target area, be sure to describe the conditions and proposed work at each site. Describe in detail acquisition needed for the activity. The response should resemble a standard TxCDBG Performance Statement (see Appendix II: Form/Document Samples for an example).

EXAMPLE- Contractor shall install one thousand four hundred thirty linear feet (1,430 l.f.) of concrete sidewalks, seventeen (17) ADA compliant ramps and associated appurtenances.

4. **“Disclose the source(s) and use(s) of non-TxCDBG funds.”**

Guidance: Disclose the source, use and amount of any non-TxCDBG funds committed to the proposed project. This includes all cash, material, land, and in-kind match.

Provisions at Subpart A of 24 CFR Part 4 require TxCDBG applicants to disclose the information requested in each part of this section:

- Assistance from other government sources in connection with the TxCDBG project;
- The sources of funds contributed to the project; and
- The uses for which the funds are to be utilized.

Each reportable source of funds must indicate:

- The name and address, city, state, and zip code of the individual or entity providing the assistance. If applicable, include at least one organizational level below the agency name. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol;
- The program name, and any relevant identifying numbers or other means of identification for the assistance; and
- The type of assistance (e.g., applicant contribution, loan, grant, loan insurance).

TDA will make all applicant disclosure reports available to the public for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be available along with the disclosure reports, but in no case for a period less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Texas Public Information Act (Chapter 552, Texas Government Code). Failure to provide any required information may delay the processing of the application and may result in sanctions and penalties, including imposition of the administrative and civil penalties specified under 24 CFR Section 4.38.

Professional Services & Financial Interest Information

1. Application Services:

- The Applicant must disclose any person or firm other than employees of the applicant that assisted with preparation of the application. Third party service providers must be competitively procured in accordance with TxCDBG Program Project Implementation Manual (Chapter 5) before beginning any work on the project or the vendor will not be permitted to participate in the TxCDBG project after the application is complete. Eligible Grant Administrators must have current TxCDBG Program certification. Engineers must be licensed and in good standing with the Texas Board of Professional Engineers. Additionally, Council of Governments (COGs) that are designated as grant recipients to carry out eligible activities, such as administration services, must execute a subrecipient agreement (interlocal agreement) before the COG conducts any work to prepare the TxCDBG application for TxCDBG grant funding.

2. Implementation Services:
 - The Applicant must designate the person or firm that will provide implementation services for the project if the TxCDBG funding is awarded. If “Yes” is selected for any implementation services to be completed by Force Account, complete the correlative Force Account Detail Information.
3. Construction by Applicant Employees
 - Is the Applicant using force account for construction and related activities not listed above to complete the project? If “Yes”, select the source(s) of funds and complete the correlative Force Account Detail.

By signing the 424 form, the authorized signatory certifies:

- That the persons performing force account work are W-2 form registered employees, (and not 1099 form contractors) of the Grant Recipient, a city/county, a public utility district, or a utility company; and
- If temporary workers are hired, that they will be W-2 form registered employees (and not 1099 form contractors), and that the employer's policies for temporary employees will be followed.

4. Are there any persons with a reportable financial interest to disclosure?

The following must be included:

- Name of the firm and/or individual;
- Pecuniary interest of any interested party; and
- The type of interest.

Applicants must provide information on anyone with financial interest in the proposed project exceeding \$50,000 or 10 percent of the requested amount (whichever is lower). This includes developers, contractors, or consultants involved in the application for TxCDBG assistance or in the planning, development, or implementation of the project or activity. A “financial interest” is any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residence in housing for which assistance is sought is not considered a covered financial interest.

The applicant disclosure report must specify all expected sources of funds from TxCDBG and from any other source that is or will be available for the proposed project or activity. Non-TxCDBG sources typically include the applicant's local contribution, other government assistance referred, equity, and contributions from foundations and private individuals. The report must also specify all expected use(s) of the funds. All sources and uses of funds must be included if they can be reasonably expected to be available for the proposed project.

Additional disclosures apply to update reports. During the period in which a TxCDBG application is pending, the applicant must make the following additional disclosures:

1. Any information that should have been disclosed in connection with the application but was inadvertently omitted.
2. Any information that would have been subject to disclosure in connection with the application but that arose at a later time, including information concerning an interested party that now meets the applicable disclosure threshold.
3. Any changes in previously disclosed Other Government Assistance that exceeds the previously disclosed amount.
4. For changes in previously disclosed financial interests, any change in the amount of the financial interest of a person that exceeds the amount of the previously disclosed interests by \$50,000 or by 10 percent of such interests (whichever is lower).
5. For changes to previously disclosed sources of funds, any change in a source of funds that exceeds the lower of:
 - a. The amount previously disclosed for that source of funds by \$250,000 or by 10 percent of the amount previously disclosed for that source, whichever is lower; or

- b. The amount previously disclosed for all sources of funds by \$250,000 or by 10 percent of the amount previously disclosed for all sources of funds, whichever is lower.
6. For changes to previously disclosed uses of funds, any change in a use of funds that exceeds the lower of:
 - a. The amount previously disclosed for that use of funds by \$250,000 or by 10 percent of the amount previously disclosed for that use, whichever is lower; or
 - b. The amount previously disclosed for all uses of funds by \$250,000 or by 10 percent of the amount previously disclosed for all uses of funds, whichever is lower.

Acquisition of any real property associated with a TxCDBG funded project must follow the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) and the HUD implementing regulations (regardless of whether the acquisition is funded by private funds or funds from another state or federal agency). Contact TDA for additional information on the Uniform Act.

Table 1 – Beneficiary and Funding Data

Refer to Appendix I: Sample Table 1 and Table 2 for an example of a properly completed Table 1 form.

Enter the following information for each target area:

- Target Area Name – enter the name of the applicable target area. Construction Completion Method(s) – identify how each proposed activity will be accomplished:
 - select “contract” for activities that will be accomplished by the bid/contract process.
 - select “force account” for force account labor (performed by the applicant’s own employees); or
 - select “combination” for a combination of both (Contract) and (Force Account);
- Activity Description – choose the appropriate activity from the dropdown menu. After selecting an activity, the appropriate HUD activity number will appear in the next field.
 - When completing the form for the General Administration activity, the Gender, Ethnicity, and Census Geographic Area information is not required. For the General Administration line item, use the TxCDBG Construction and/or Other Construction columns to indicate the portions of the Administration costs to be paid by TxCDBG funds and/or Other funds respectively.
- Total Benes (Total Activity Beneficiaries) – enter the total number of beneficiaries of the activity. For projects with multiple activities, each separate activity requires a separate beneficiary count. Once this information is entered for all activities (if applicable), enter the sum total of all the beneficiaries at the bottom of the column. This is true when activities take place in different sectors of a jurisdiction, but may also be true when the activities are proposed in the same general vicinity.
- LMI Benes (Activity LMI Beneficiaries) – enter the number of persons identified out of the Total Beneficiaries whose income falls below 80% of the area median family income. Once this information is entered for all activities, enter the sum total of all the LMI beneficiaries at the bottom of the column. LMI % (Activity LMI %) – this is the percentage of an activity’s beneficiaries that are LMI, and will automatically calculate.
- TxCDBG Construction – indicate the amount of TxCDBG funds requested for each construction activity. Be sure to correlate this figure for all construction activities on Table 2 – Budget Justification.
 - Use this column for General Administration (choose General Administration as the activity and then budget the amount in the TxCDBG Construction column). The amount requested for General Administration must not exceed 16% of total Construction and Acquisition costs or \$50,000, whichever is less. The locality is responsible for any cost incurred for General Administration (Program Administration, Compliance, Audit, etc.) that exceeds the TxCDBG-funded amount.
- TxCDBG Engineering – indicate the amount of TxCDBG funds requested to pay for the engineering costs associated with the activity. The amount requested for engineering services must not exceed 25% of total construction and acquisition costs or \$75,000, whichever is less. The locality is responsible for any cost incurred for Engineering that exceeds the TxCDBG funded amount.

- TxCDBG Acquisition – indicate the amount of TxCDBG funds requested to pay acquisition costs associated with the activity. This amount should also appear on Table 2 – Budget Justification.
- Other Construction – indicate the amount of local or other matching funds committed to pay for the construction costs associated with the activity.
- Other Engineering – indicate the amount of local or other matching funds committed to pay for the engineering costs associated with the activity.
- Other Acquisition – indicate the amount of local or other matching funds committed to pay the acquisition costs associated with the activity.
- The source(s) of all other funds must be disclosed in the Project Summary section of the application when the “other” amount is greater than zero. TDA requires a commitment documenting each outside source of funding.
- Activity Total – this is the total cost of completing each activity, including funds from TxCDBG and all other sources, and will automatically calculate. The total for all activities should match the total project cost on the 424 form.
- Gender Data – enter in the total number of male and female beneficiaries that will be served in the target area. The number in the Total Benes column (Gender Data) should match the Total Beneficiary – Activity Totals column in the section above. This data is available on the U.S. Census website using the most recent available American Community Survey – 5 year Estimate.
- Race/Ethnicity Data – provide the race, and ethnicity data of the beneficiaries that will be served in the target area. This data is available on the U.S. Census website using the most recent available American Community Survey – 5 year estimate. Beneficiaries for the CDBG Program must consider persons of Hispanic or Latino origin as an ethnic group. Therefore, persons of Hispanic or Latino origin must also be included under one or more of the single race or multi-race categories. The number of persons shown in the single race or multi-race categories, not including the persons shown as Hispanic or Latino origin, should equal the total number of project beneficiaries when added together. The number in the Total Activity Beneficiaries column must match the Activities column in the section above.
- Census Geographic Area Data – for reporting purposes, HUD requires that TDA collect information regarding the location of each project activity. The county code/FIPS (Federal Information Processing Standard) code will automatically populate when you choose the applicant’s county from the drop down menu on the cover page. Next, enter all of the applicable census tracts (6-digit) and block group where the activity’s beneficiaries reside.
- This Activity Benefits a Target Citywide/Countywide Benefit – identify whether the proposed activity will benefit an entire city or county.
- Beneficiary Identification Methods – indicate which of the three acceptable methods was used by selecting the appropriate box, and then provide the appropriate information that is requested under the selected identification method. The three acceptable ways to determine how many beneficiaries an activity will serve are the following
 - HUD Census-based Data;
 - TxCDBG-approved Survey; and
 - TxCDBG-approved Limited Clientele Information.

Table 2 – Budget Justification of Retail Costs

For all proposed uses, requested funds may not exceed the minimum necessary to meet the needs of the business(es). Excess/speculative improvements, extra connections or excessive looping will not be funded. For projects involving more than one activity, this form should reflect each separate activity and its applicable costs. Do not include cost categories such as contingency funds, profit, overhead, and bonding as separate costs. They should be built into the estimated construction costs.

Force account labor costs, whether to be paid with funds or included as local match, must be based on the estimated TxCDBG contract-related construction hours to be worked by force account workers and the hourly wages to be paid,

not on labor costs estimated through the bid/contract method. These costs must be described in the Project Summary section of the application.

Equipment costs for equipment owned by the locality, whether to be paid with TxCDBG funds or included as local match, must be based on a use allowance (such as those used by FEMA) or depreciation (based on acquisition cost, and only if the equipment is not already fully depreciated). Calculate all costs based on hours the equipment is in use on the project.

Please enter the following:

- Activity Description – refer to the listed activities on Table 1. Activities shown on this form must correspond to those shown on Table 1. Use the dropdown menu for a full list of activity descriptions and their corresponding activity(ies). Use the “+” box on the right side of the page for additional line items (or the “x” to remove unnecessary ones).
- Materials/Facilities/Services – in this column, list the materials/facilities/services associated with each activity.
- \$/Unit, Unit, and Quantity – for projects that will be completed using force account labor, use the materials/facilities/services column to calculate the value of the force account, such as the estimated contract-related construction hours multiplied by hourly wage rates with the total amount indicated in the Construction column, or attach a separate Force Account Schedule. See Appendix II: Form/Document Samples for an example of a properly completed Table 2 – Budget Justification for Retail Costs involving Force Account labor. There are two acceptable methods for determining actual construction costs:
 1. Break down the construction costs into labor and materials components for each activity (use this method for activities involving force account labor); or
 2. Use unit price (\$/Unit) and the number of units (Quantity) for each activity. The units used (e.g., linear feet (lf), square feet (sf), etc.) must be priced to include all proposed improvements related to and necessary for the major construction activity.
- Construction – enter the price of a material associated with a construction activity. This is the quantity in the “\$/Unit” column multiplied by the number in the “Qty” column.
- Acquisition – enter any cost involved with a proposed activity involving acquisition of real property (easements, rights-of-way, etc.). The projected acquisition costs must be broken out by the activity for which the acquisition is needed. Acquisition costs associated with construction activities, such as easements for a water system improvement project, should be shown in the “Acquisition” column. Please keep in mind that TDA requires compliance with the Uniform Real Property Acquisition and Relocation Policies Act of 1970. **Do not add a separate Acquisition activity line item unless the project involves acquisition of real estate, in which case the “Construction” column should be blank for the Acquisition activity.**
- Total – the totals for each line item and column will calculate automatically. Each activity cost and the associated total activity costs must be consistent with those shown on Table 1. General Administration and Engineering costs are not shown on Table 2.
- Signature of Registered Engineer/Architect Responsible For Budget Justification (and Seal) – for public facilities projects, a professional engineer or architect licensed to practice in the State of Texas must complete this form. The engineer or architect’s signature and registration seal must be on the form. Please also provide the date the form is completed and the engineer or architect’s telephone number. If the professional seal is a pressure (non-ink) seal, please ensure that a penciled-over image of the seal is visible on the duplicate copy.

National Program Objectives

Check the appropriate box to indicate whether the proposed activities will address slums or blight on an Area Basis or Spot Basis.

Anticipated Objectives and Outcomes

Indicate the anticipated objectives and outcomes from the proposed activities by completing the following for each activity:

- Activity – using the dropdown menu, select the appropriate activity. If the options in the drop-down menu do not accurately describe the proposed activity, you may type the appropriate project type in this field rather than selecting from those provided from the drop-down list. Also, use the boxes marked “+” and “x” on the right side of the page to add or delete space for additional activities.
- Anticipated Objective – select one anticipated objective for each activity:
 - Create a suitable living environment.
 - Provide decent affordable housing
 - Create economic opportunities.
- Anticipated Outcome – select one outcome for each activity in the application (excluding engineering and administration):
 - Availability / Accessibility
 - Affordability
 - Sustainability

NOTE: Only one set of objectives and outcomes is required for each activity. If multiple objectives and outcomes are provided for each activity, the responses listed first for each activity will be used for reporting purposes by TxCDBG staff.

Anticipated Outcome Units

Of the following, select the box next to the most appropriate description of the proposed activities:

- Infrastructure/Public Facilities Improvement Project
- Services
- Planning Activity

Once the additional questions appear, select the Activity from the dropdown menu. Use the “+” box on the right side of the page to add additional activities, if applicable (or the “x” box to delete unnecessary ones). For each activity, provide the following:

- Identify the number of persons for each of the following:
 - Anticipated to have new access to this type of public facility or infrastructure improvement;
 - Anticipated to have improved access to this type of public facility or infrastructure improvement; or
 - Anticipated to be served by public facility or infrastructure that is no longer substandard.

NOTE: The total for each activity and outcome must not exceed the total number of beneficiaries identified in the application.

Additional Activity Information

Select only those that apply.

- *One-for-One Replacement* – requires that a grantee replace occupied and vacant units that are demolished or converted.
- *Revolving Loan Fund* – established to make loans whereby principal repayments of loans are re-paid into the fund and re-lent to other borrowers.
- *Brownfield Activity* – any activity designed to treat a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated, especially one considered as a potential site for redevelopment.
- *Special Assessment* – means the recovery of the capital costs of a public improvement, such as streets, water or sewer lines, curbs, and gutters, through a fee or charge levied or filed as a lien against a parcel of real estate as a direct result of benefit derived from the installation of a public improvement, or one-time charge made as a condition of access to public improvement.
- *Favored Activity* – certain activities specifically related to economic development.

- *Colonia* – Any identifiable unincorporated community that is determined to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and was in existence as a colonia prior to the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (November 28, 1990).
- *Presidentially Declared Disaster Area* – any area that is listed as an active disaster area on the Federal Emergency Management Agency website (www.fema.gov).
- *Historic Preservation Area* – any area that has been identified in accordance with the standards for the treatment of historic properties as set by the Secretary of the Interior.
- *Displacement* – a displaced person is any lower income family or individual that moves from real property, or moves his or her personal property from real property, permanently and involuntarily, as a direct result of the conversion of an occupied or vacant occupiable low/moderate income dwelling unit, or the demolition of any dwelling unit, in connection with an assisted activity.
- *Float Funded* – process by which a state's CDBG funds are already under contract to grant recipient, yet the state awards the same funds to another grant recipient providing that the state is repaid before the initial grant recipient needs the funds to meet their obligation(s) for their CDBG funded activities.

Pre-agreement Option

TxCDBG may reimburse funded applicants for administrative and engineering costs (except for application preparation services) incurred prior to the TxCDBG contract start date based on the Pre-Agreement Stratagem. The pre-agreement option is available from the application due date. All federal, state, and program requirement apply to costs incurred during the pre-agreement period; however, funds will not be available to reimburse for these costs until a grant contract has been executed and applicable requirements for payment have been met.

Attachments

The application must be submitted with the following attachments, if applicable, in the order specified.

Scoring Sheet Supporting Documentation

All scoring criteria must be supported by documentation. Failure to submit all back-up documentation to support scoring may result in a loss of points.

Project Maps

A minimum of 4 project maps must be included with the application. Please identify the location of buildings, private and public infrastructure, that are part of this project with sufficient detail to properly prepare a project description for the contract documents. All maps must be color coded and drawn to scale. Failure to comply will delay the processing of the application.

1. Area Map: The area map must show the general location of the project in relation to major landmarks such as freeways, rivers, and major streets and location of project site.
2. Designated downtown district/Main Street area Map: must identify the specified boundaries of the downtown/Main Street area.
Note: Proposed project activities must be located within these designated boundaries.
3. Project Site Map: The project site map must be a magnification of the project site delineating:
 - Identifying buildings and landmarks adjacent to improvements;
 - Location and size of both existing and proposed infrastructure (road, water, sidewalks, sewer, etc.) improvements;
 - i. Note: for projects with multiple activities, the project map must be labeled with each proposed activity clearly identified.
 - Name of adjacent streets and identification of the nearest intersection; and
 - Identification of proposed improvements (legend or key is required) to clearly identify the proposed project.
4. Floodplain Map identifying project location.

Photos

The city shall provide no more than twenty-five (25) photos of the proposed project area. The pictures should be numbered, illustrating the entire project area, including a narrative that identifies the specific location/address and the slum/blight conditions to be eliminated. Screenshots from online mapping sites are not acceptable (e.g., Google Maps or Bing).

Resolutions

The application *must* be submitted with a resolution from the local City Council authorizing the submission of the application. The governing body must adopt/pass the resolution before the application submission and after the application public hearing. Failure to comply with these resolution requirements may result in disqualification of the application.

The language of the resolution must, at a minimum:

1. Authorize the submission of an application for funding under the Texas Community Development Block Grant Program.
2. Designate the Downtown Revitalization/Main Street Program as the fund category under which the application is to be considered.
3. Designate the activities addressed in the application.
4. Designate the dollar amount being requested.
5. Designate persons who will be authorized to execute documents in conjunction with the application, and any resulting grant contract. It is recommended that more than one person be designated to execute official documents for the locality, in order to meet any impending deadlines in case of unavailability (e.g., the governing body's chief elected official and another local public official, such as Mayor, Mayor Pro Tem, and City Manager). **Failure to have one of these designated officials execute these documents will result in disqualification of the application.**
6. Commit to the provision of resources by source and use (if applicable) in support of the proposed project activities, including the specific source (e.g., General Fund, Water/Sewer Fund, General Obligation Bonds) and use of those resources.
7. Commit to compliance with all federal, state, and program requirements, including environmental review, labor standards, procurement, acquisition of property, civil rights, and administrative requirements.

In addition, the application *must* be submitted with a resolution from the local City Council designating the project area as slum or blighted. Failure to comply with these resolution requirements may result in disqualification of the application.

The language of the resolution must, at a minimum:

1. Designate the project area as slum or blighted;
2. Designate the conditions which qualify the project area as slum or blighted;
3. Designate the project activities and the way in which each project activity addresses one or more conditions of slum or blight;
4. Define the physical boundaries of the area experiencing slum or blight conditions.

The official designation of a project area as slum or blighted must be within 5 years of the application deadline.

For sample resolutions, see Appendix II: Form and Document Samples.

Documentation of Additional Matching Funds

All resources committed in an application and considered in the scoring of that application must be provided in the event that the project is selected for funding. If these resources are not made available, the locality may be subject to the sanctions described in the "False Information on Application" section of this guide.

If other eligible sources of funding are injected into the project, a commitment letter from each source must be included.

Letter from applicant addressing its inability to fund the proposed improvements

Letter on city letterhead explaining why the city is unable to self-finance the proposed improvements without a TxCDBG award.

Published Notices of Public Hearing and Application Activities

Prior to the preparation and submission of an application for DRP/MS funds, each applicant must hold at least one public hearing and publish a notice that describes the application activities and the availability of the application(s) for public review.

The public hearing gives citizens information about the Texas Community Development Block Grant Program and eligible program activities, as well as opportunities to participate in the development of the applicant's community and economic development needs and the development of TxCDBG applications.

The public notice gives citizens information on proposed uses for the funds and an opportunity to review and comment on the application(s) prior to submission.

Other requirements include:

- Public notices should be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community service providers.
- Ensure nondiscrimination by taking reasonable steps to ensure meaningful access for persons with Limited English Proficiency (LEP) by providing language assistance as appropriate. Contact TDA for additional information on this requirement based on the community's needs and characteristics.
- Persons with disabilities must be able to attend the hearing and an applicant must make arrangements for individuals who require auxiliary aids or services, if contacted at least two days prior to the hearing.
- Local organizations that provide services or housing for low-to-moderate income persons, including the local Public Housing Authority, Health and Human Services office, Faith-based organizations, and Mental Health and Mental Retardation office, must receive written notification concerning the date, time, location and topics to be covered at the public hearing.

The written notification sent to local service providers for the public hearing must include the date, time, location and topics of discussion at the public hearing (a copy of the notice will suffice if it includes all required information). Send this notification to service providers serving the jurisdiction's residents – if a local office is located in the community, then that office should receive the notification. If a local office is not located in the community, send the notification to the local or regional office location that serves the jurisdiction's residents.

The following items are required as evidence of adherence with public hearing and public notice requirements:

1. A copy of the actual published public hearing notice:
 - a. Full page of the newspaper with publication title and date; or
 - b. Publisher's affidavit and a copy of the notice for the required public hearing; or
 - c. Affidavit of posting (see Appendix II), copy of the notice for the required public hearing, and a printout/screenshot of publication of notice on applicant's website.

The notice must conform to the requirements of the Citizen Participation Plan, including specifics such as the date, time, location of the hearing and the topics to be discussed.

2. A copy of the actual published notice of the application(s) activities and availability of the application(s) for public review:
 - a. Full newspaper page with the publication title and date; or
 - b. Publisher's affidavit and a copy of the notice; or
 - c. Affidavit of posting (see Appendix II), copy of the notice, and a printout/screenshot of publication of notice on applicant's website.

The notice must conform to the requirements of the Citizen Participation Plan including the timing of the published notice and the information included in the notice.

3. A listing of the local service providers that received written notification of the public hearing. Copies of the written notifications must be kept by the applicant and will be reviewed by TDA staff during site visits. Again, the written notification must conform to the requirements of the Citizen Participation Plan including specifying the date, time, and location of the hearing and the topics of discussion.

TDA recommends verifying that the public notices are published on the correct days, as well as allowing sufficient time for publication and public hearing issues to be resolved rather than completing these steps just prior to submitting the application.

For sample public notices, see Appendix II: Form and Document Samples.

Section 106 notification letter (Determination of Eligibility) to/from Texas Historical Commission

Copy of the letter on city letterhead and sent to the Texas Historical Commission (THC). A response from the THC is not required, but should be included, if available.

TxDOT notification letter and response (if applicable)

Copy of the letter indicating that the applicant has notified and/or consulted with TxDOT regarding their proposed improvements.

Evidence of Active SAM Registration

The applicant shall include a screen-shot from the System for Award Management (SAM) website at <https://sam.gov> verifying the entity's registration is active. The screen shot must include the registration expiration date. If the registration has expired, then it is an Inactive Account and has not met this requirement. It may take time to register or re-activate, so start early.

Annual Audit

Applicants must comply with the audit requirements in the Texas Local Government Code for the fiscal year ending 2018 or later. The applicant is required to submit its most recent annual audit or audit opinion letter with its application to demonstrate financial capacity. The audit opinion letter is preferred to the whole audit (Note: not the management letter). A certified public accountant (CPA) who is licensed in this state or a public accountant who holds a permit to practice from the Texas State Board of Public Accountancy **must** conduct the audit and prepare the annual financial statement. **Applicants may not submit self-performed audits.** The audit must be an organizational-wide audit and cannot be limited to certain parts of the organization. Annual audits for fiscal years ending on or before December 31, 2017 will not be accepted. Failure to submit an audit for FY 2018 or 2019 by the application deadline will result in automatic disqualification.

Application Review Checklist

See the following page for the Application checklist and instructions.

Application Review Checklist for Downtown Revitalization/ Main Street Program

The following items **must** be included in the application. If the application is found to be substantially incomplete it will be denied without further consideration. Applications that have deficiencies will be given 10 business days to satisfy those deficiencies. Print this page separately and insert directly behind the Application Coversheet.

DRP/MS Application Contents	Initial if complete
--------------------------------	------------------------

Original Application – Part 1

Completed 424 Form with original signature	
Completed DRP/MS Scoring Sheet	
Project Approval Information with all question answered	
Community Needs Assessment	
Project Summary	
Additional Project Information and Source and Use of non-TxCDBG funds Disclosure	
Table 1	
Table 2	
National Program Objectives	

Attachments – Part 2

Attach Score Sheet supporting documentation	
Area Map	
Designated downtown/Main Street area Map	
Project Site Map	
Floodplain map showing project location	
Photos of proposed project site	
Resolution passed by the applicant authorizing submission of the application	
Resolution passed by the applicant designating the slum / blighted area	
Documentation of Additional Matching Funds- Letter(s) of Commitment	
Letter from applicant addressing its inability to fund the proposed improvements	
Public notices	
Actual published public hearing notice or Publisher's Affidavit and copy of notice	
Actual published notice of application activities and availability of the application for public review or Publisher's Affidavit and copy of notice	
Listing of the local service providers that were sent the written notification of the public hearing	
Section 106 notification letter (Determination of Eligibility) to/from Texas Historical Commission	
TxDOT notification letter and response (if applicable)	
Evidence of active SAM Registration	
Applicant's Independent Auditor's Opinion letter from FY2018 or 2019 Annual Audit	

Appendix I: Sample Table 1 and Table 2

TABLE 1 Add a separate Target Area for each activity or colonia target area.

Identify ALL activities and beneficiaries for the entire application below. Refer to the Application Guide for instructions.

Target Area Name:	Designated Downtown District											Add Another Target Area
												Remove this Target Area
Activity Description	Act #	Ttl Benes	LMI Benes	LMI%	TxCDBG Const.	TxCDBG Eng.	TxCDBG Acq.	Other Const.	Other Eng.	Other Acq.	Activity Total	+
Sidewalks	03L	100	51	51.00	150,000	0	0	0	20,000	0	170,000	x
Street Improvements	03K	0	0	.00	150,000	0	0	0	30,000	0	180,000	x
TARGET AREA SUBTOTALS:		0	0	0.00%	300,000	0	0	0	50,000	0	350,000	
APPLICATION TOTALS:		0	0	0.00%	300,000	0	0	0	50,000	0	350,000	

County Code	Census Tract (6 digit)	1	2	3	4	5	6	7	8	9	10	+
												X

Beneficiary Identification Information

Are any of the beneficiaries receiving a direct benefit? (e.g. First-time Service)? ☐ Yes ☒ No

☐ A TxCDBG survey was used to identify beneficiaries for this activity.

☒ LMISD information was used to identify beneficiaries for this activity. ☒ City-wide Benefit ☐ County-wide Benefit ☐ Other Census Designated Unit

Provide the number of beneficiaries identified through each of the following methods for this activity:

TxCDBG Survey: 0 LMISD Data: 0 Area Benefit: 0 Housing Activity: 0 Limited Clientele: 0

TABLE 2 - BUDGET JUSTIFICATION OF RETAIL COSTS

Activity Description	HUD Act #	Materials/Facilities/Services	\$/Unit	Unit	Quantity	Construction	Acquisition	Total	
Sewer Improvements	03J	Mobilization	\$5,000.00	EA	1	\$5,000	\$0	\$5,000	X
Sewer Improvements	03J	6" PVC and fittings	\$10.00	LF	500	\$5,000	\$0	\$5,000	X
Sewer Improvements	03J	8" PVC and fittings	\$20.00	LF	1,500	\$30,000	\$0	\$30,000	X
Sewer Improvements	03J	6" and 8" Gate Valves	\$1,000.00	EA	15	\$15,000	\$0	\$15,000	X
Sewer Improvements	03J	Erosion Control	\$5,000.00		1	\$5,000	\$0	\$5,000	X
						\$60,000	\$0	\$60,000	



Signature of Registered Engineer/Architect Responsible For Budget Justification:

Sep 16, 2016

Date:

+1 (512) 321-4567

Phone Number

Appendix II: Form and Document Samples

Sample Public Hearing Notice and Application Activities Notice

SAMPLE PUBLIC HEARING NOTICE:

Published on (July 14, 2012):

PUBLIC HEARING NOTICE

(XYZ) COUNTY

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(XYZ) County will hold a public hearing at 7:00 p.m. on July 14, 2012, at (XYZ) County Courthouse regarding the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds. The County encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their views and proposals to (John Doe), County Judge at the County Courthouse. Persons with disabilities that wish to attend this meeting should contact the County Courthouse to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact the County Courthouse at least two days before the meeting so that appropriate arrangements can be made. Para más información en español, comuníquese con (add local contact name) al XXX-XXX-XXXX.

SAMPLE APPLICATION ACTIVITIES NOTICES:

Published on (September 26, 2012):

PUBLIC NOTICE

(XYZ) COUNTY

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(XYZ) County is giving notice of the county's intent to submit Texas Community Development Block Grant Program grant applications for a (Downtown Revitalization/Main Street) grant request of (\$150,000) for (the installation of ADA compliant sidewalk activity) in the (community of XX). The application is available for review at the (XYZ) County Courthouse during regular business hours. Para obtener una copia en español, comuníquese con (add local contact name) al XXX-XXX-XXXX.

SAMPLE - Affidavit of Posting – Notice of Public Hearing

I, _____, do hereby certify that pursuant to the laws of the State of Texas and of the City/County of _____, a Notice of the City's Notice of Public Hearing on the development of TxCDBG application(s) was posted on _____. The public notice was conspicuously posted at _____ in a manner plainly visible to the general public on _____, 20____ through _____, 20____ (at least 72 hours prior to public hearing and at least one day prior to signing of this affidavit). Pursuant to TxCDBG requirements, the physical address and location of the notice was as follows: (for example, lower left corner of east window, or in the center of the north door, etc.)

Attach a photograph of the Notice(s) as posted on the premises.
.....

Applicant Signature and Title

Date

State of Texas

County of _____

Subscribed and sworn to before me by _____

this _____ day of _____, 20____.

SEAL Notary Signature

My Commission expires:

SAMPLE - Affidavit of Posting – Notice of TxCDBG Application Availability for Public Review

I, _____, do hereby certify that pursuant to the laws of the State of Texas and of the City/County of _____, a Notice of the City's Notice of the City's TxCDBG application(s) activities and availability of the application(s) for public review on _____. The public notice was conspicuously posted at _____ in a manner plainly visible to the general public on _____, 20 ____ through _____, 20____ (*at least five days prior to public hearing and at least one day prior to signing of this affidavit*). Pursuant to TxCDBG requirements, the physical address and location of the notice was as follows: (for example, lower left corner of east window, or in the center of the north door, etc.)

Attach a photograph of the Notice(s) as posted on the premises.

.....

Applicant Signature and Title

Date

State of Texas
County of _____
Subscribed and sworn to before me by _____
this _____ day of _____, 20____.

SEAL Notary Signature

My Commission expires:

Sample Resolution – Application Submittal Authorization

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF (XYZ), TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE <MAIN STREET/DOWNTOWN REVITALIZATION> FUND; AND AUTHORIZING <LIST ALL OFFICIALS TO BE AUTHORIZED> TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE(S) IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of (XYZ) desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of (XYZ) to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the <Main Street/Downtown Revitalization> Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the <Main Street/Downtown Revitalization> Fund.
3. That the application be for <TxCDBG Amount Requested> of grant funds to provide <list project activities>
4. That the City Council directs and designates <Title of ALL officials to be authorized> as the City's Authorized Representative(s) to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that the City of (XYZ) is committing <Match Amount> from its <Source of Match> as a cash contribution toward the <Match funded project activities> of this <Main Street/Downtown Revitalization> project.

Passed and approved this ____ day of _____, 20__.

John Doe, Mayor
(XYZ) City, Texas

Mary Smith, City Secretary
(XYZ) City, Texas

Sample Resolution – Slum/Blight Designation

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF (XYZ), TEXAS, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A <SLUM/BLIGHTED AREA>.

WHEREAS, the City Council of the City of (XYZ) has reviewed and evaluated conditions in the <downtown district/designated Main Street area> of the municipality; and

WHEREAS, The City Council has found conditions which are detrimental to the public health, safety, and welfare of the community within the <downtown district/designated Main Street area>, as follows:

<List conditions qualifying project area as slum or blighted. See “National Program Objective” section of application guidance for details regarding qualifying conditions.>

WHEREAS, the City Council of the City of (XYZ) has authorized an application for funding under the <Main Street/Downtown Revitalization> program, as follows:

<List project activities>

WHEREAS, these project activities will aid in the elimination of slum/blight in the community by <list improved conditions>.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF (XYZ), TEXAS THAT THE AREA IDENTIFIED BY THE FOLLOWING BOUNDARIES AND OUTLINE ON THE MAP ATTACHED HERETO AS <name of attachment> HAS BEEN DETERMINED TO BE A <SLUM/BLIGHTED> AREA.

Boundaries

North:

South:

East:

West:

Passed and approved the ____ day of ____, 20__.

John Doe, Mayor

Jane Doe, City Clerk

EXHIBIT A

PERFORMANCE STATEMENT

City of Virginia

All activities funded with TxDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

The Contractor shall carry out the following activities in the target area(s) identified on the map in its Economic Development application. The Contractor shall obtain the Department's prior written approval for any modifications or changes that are made to this project's activities specified in Exhibits A and B.

CURRENT NEED

The purpose of this Economic Development project is to provide infrastructure in the form of sidewalk activities in the Downtown Revitalization area designated by the Contractor. The Contractor certifies that the activities carried out under this contract will meet the national objective of aiding in the prevention or elimination of slums or blight.

Sidewalk Activities

The "minimum necessary" activities are to consist of one thousand four hundred thirty linear feet (1,430 l.f.) of concrete sidewalks, seventeen (17) ADA compliant ramps and associated appurtenances. These improvements shall be in the following locations:

Location	From	To
Virginia Street	Marie Street	Patrick Street
Shelbyville Street	Cora Street	490 l.f. east
Cora Street	Shelbyville Street	Pecan street

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.

Engineering

Contractor shall ensure that the amount of Department funds and/or matching funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

Sample Determination of Eligibility Letter

Determination of Eligibility letter to be produced on city letterhead and sent to the Texas Historical Commission (THC). A response from the THC is not required for the TxCDBG Application, but should be included if available.

[DATE]

Mark Wolfe, State Historic Preservation Officer
Texas Historical Commission
c/o History Programs Division
P.O. Box 12276
Austin, TX 78711-2276

Re: TxCDBG [FUND NAME] Project, [CITY, COUNTY]

Dear Reviewer:

The City of [CITY] is making an application for a TxCDBG [FUND NAME] grant through the Texas Department of Agriculture. The [FUND NAME] program is financed by the U.S. Department of Housing and Urban Development through the Texas Community Development Block Grant Program. We understand that a review is required for our project under Section 106 of the National Historic Preservation Act because of the federal funding involved.

The proposed project will consist of [DESCRIBE PROJECT].

We understand that the first step in the Section 106 review process is to identify whether there are historic buildings, structures, objects, sites, or districts within our project's Area of Potential Effect (APE), which extends beyond the concise footprint of the project location to include adjacent buildings and structures that may experience physical or visual effects from the project. [In the case of sidewalk construction, the APE should include all buildings and structures adjacent to the sidewalk.] Please review the attached material and determine whether properties in the APE are eligible for listing in the National Register of Historic Places:

- Photos of all buildings, structures, or sites 45 years old or older within the above-defined area (labeled with addresses). [Photos should be high quality, color, and show at least the main façade of the building in its entirety.]
- General photos of the project locations (streetscape, etc.).
- Maps with the project area marked. [Historic-age buildings should be identified on maps or photographs should be keyed to maps.]

If you identify historic properties in the APE and our project is selected for funding, we understand that we will need to submit more information regarding the project design elements in order for your office to evaluate the project's potential to affect historic properties and complete the Section 106 review process. This information will include construction documents for the proposed project. However, we also understand that your office recommends early consultation during the design process, before the submission of these drawings, to prevent adverse effects to historic properties and avoid unnecessary delay to project construction.

If you have questions about this information please contact me at [TELEPHONE NUMBER] or [EMAIL].

Yours truly,

[CITY REPRESENTATIVE]
[CITY DEPARTMENT]

Appendix III: TxCDBG Activity Code Reference Table

Code	Description
03F	Parks, Recreational Facilities Development of open space areas or facilities intended primarily for recreational use.
03I	Flood Drainage Improvements Acquisition, construction, or rehabilitation of flood drainage facilities, such as retention ponds or catch basins. Do not use 03I for construction/rehabilitation of storm sewers, street drains, or storm drains. Use 03J for storm sewers and 03K for street and storm drains.
03J	Water/Sewer Improvements Installation or replacement of water lines, sanitary sewers, storm sewers, and fire hydrants. Costs of street repairs (usually repaving) made necessary by water/sewer improvement activities are included under 03J. For water/sewer improvements that are part of: <ul style="list-style-type: none"> more extensive street improvements, use 03K (assign 03K, for example, to an activity that involves paving six blocks of Main Street and installing 100 feet of new water lines in one of those blocks). For construction or rehabilitation of flood drainage facilities, use 03I.
03K	Street Improvements Installation or repair of streets, street drains, storm drains, curbs and gutters, tunnels, bridges, and traffic lights/signs. Also use 03K: <ul style="list-style-type: none"> for improvements that include landscaping, street lighting, and/or street signs (commonly referred to as “streetscaping”). if sidewalk improvements (see code 03L) are part of more extensive street improvements.
03L	Sidewalks Improvements to sidewalks. Also use 03L for sidewalk improvements that include the installation of trash receptacles, lighting, benches, and trees.
03	Other Public Facilities and Improvements Do not use this code unless an activity does not fall under a more specific 03* code. Also, do not use one activity for multiple facilities and then assign it an 03 because the types of facilities are different. One legitimate use of 03 is for activities that assist persons with disabilities by removing architectural barriers from or providing ADA improvements to government buildings (activities that otherwise would not be eligible for CDBG funding).
04	Clearance and Demolition Clearance or demolition of buildings/improvements, or the movement of buildings to other sites.
21A	General Program Administration Overall program administration, including (but not limited to) salaries, wages, and related costs of grantee staff or others engaged in program management, monitoring, and evaluation. Also use 21A to report the use of CDBG funds to administer Federally designated Empowerment Zones or Enterprise Communities.

For a more comprehensive list of activity codes, go to:
(http://archives.hud.gov/offices/cpd/systems/idis/library/refmanual/ref_man_b.pdf)

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving **Resolution #2020-76** Authorizing
the City Manager to Enter into an Agreement
for Grant Writing and Administrative Services

DATE: Aug. 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On July 13, 2020 City staff sent a Request for Proposals to Department of Agriculture prequalified firms to provide grant writing and administrative services for the City of Gonzales, TxCDBG Infrastructure grant. The selected firm will assist the City of Gonzales in applying for Department of Agriculture TxCDBG funds to improve the safety and accessibility of historic downtown sidewalks.

The RFP was sent out to prequalified firms on July 13, 2020 with proposals to be due via email on July 24, 2020. P.M. The City of Gonzales received three responses to the RFP. The three proposals received were from Jet Development, LLC, Asi Grant Consulting, and Langford Community Management Services.

On July 27, 2020, City staff met and evaluated the proposals based on the criteria set forth in the RFP and ranked the proposals with a possible score of 100 points: Jet Development LLC., scored 92 points, Asi Grant Consulting scored 59 points, Langford Community Management Services and scored 29 points.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

Account #100-7-104.403 Grant Writing Fees has \$30,000 allocated in the Non-Departmental 2020- 2021 Fiscal Year Budget.

ATTACHMENTS:

Proposals from Jet Development, LLC, Asi' Grant Consulting and Langford Community Management Services.

STAFF RECOMMENDATION:

Based on the scoring criteria staff's recommendation would be to contract with Jet Development, LLC.

RESOLUTION NO. 2020-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR GRANT WRITING AND ADMINISTRATION SERVICES FOR THE TXCDBG DEPARTMENT OF AGRICULTURE MAIN STREET INFRASTRUCTURE GRANT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on July 13, 2020 City staff issued a Request for Proposals (RFP) for firms prequalified through the Department of Agriculture Program to provide grant writing services for the City of Gonzales for the TxCDBG Main Street Infrastructure Grant; and,

WHEREAS, the proposals to the Department of Agriculture prequalified firms were sent via email on July 13, 2020, to be due on July 24, 2020; and,

WHEREAS, proposals were received from Jet Development, LLC, Asi' Grant Consulting, and Langford Community Management Services. by the due date published and one proposal was received after the deadline which was rejected and returned to the sender unopened; and,

WHEREAS, City staff evaluated the proposals based on the firms understanding of the requirements, experience in providing similar services to the City or any other governmental entity, samples and references and key personnel professional background, certifications, and experience in providing the requested services during which Jet Development, LLC received the highest score of the three proposals; and,

WHEREAS, Local Government Code Section 252.043(a) states that the if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

WHEREAS, of the three proposals the best value and pricing provided was from Jet Development, LLC. with grant research and grant writing billed at \$50.00 hour plus expenses, with an amount for hourly expenses not to exceed \$30,000 in a one year period (600 hours); and,

WHEREAS, the City Council finds that entering into an agreement with Jet Development, LLC to assist the City of Gonzales with the TxCDBG Main Street grant application to the Texas Department of Agriculture for downtown infrastructure improvements to promote the public health, safety, and general welfare of the City.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales hereby authorizes the City Manager to enter into an agreement with Jet Development, LLC for Grant Writing and Administrative Services.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 13 day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary



www.jetdevelopmentllc.com

**City of Gonzales
2021-2022 Texas Community Development Block Grant (TxCDBG)**

July 15, 2020

City of Gonzales
Laura Zella, Finance Director
820 Saint Joseph Street
Gonzales, Texas 78629

Ms. Zella,

JET Development LLC is pleased to submit the enclosed Proposal for the City of Gonzales for Grant Writing and Administration Services for the TxCDBG Program. The JET Development Team has more than 20 years of experience in grant funding research, proposal development, as well as technical assistance and program administration. We are eager to bring our expertise to the City of Gonzales to secure TxCDBG grant funding for downtown sidewalk improvements. At JET, we are passionate about bringing the benefits of federal and state grant funding to smaller communities in order to create more robust and resilient communities! We have extensive experience with CDBG funded infrastructure projects, JET's success is based on the philosophy of building relationships and improving communities. We are committed to your success and are here for the long-term.

Sincerely,

Janay Treen, Principal
JET Development LLC

7/15/20

Date



www.jetdevelopmentllc.com

2 Experience and References

The staff at JET Development, LLC have more than 20 years of combined experience working in grants management and economic development. Together, we can deliver a comprehensive plan that encompasses all aspects of grant research, grant writing, grants management, economic development, and technical assistance. In addition, JET is pre-qualified by the State of Texas to administer TxCDBG projects and is a State of Texas certified MWBE, SBE and Historically Underutilized Business (HUB.)

Janay Tieken is certified through the National Development Council as an Economic Development Finance Professional (EDFP) in acquiring and structuring public financing for economic development projects. She received her Master's in Public Administration from the University of North Texas in 1997. She is a member of ICMA, TCMA (Advocacy Committee) and serves on the McKinney Chamber of Commerce Leadership Alumni Advisory Committee.

Janay Tieken, Principal
janay@jetdevelopmentllc.com

City of Gonzales – 2019

- Conducted research and wrote successful grant application for \$852,300 in CDBG- DR funding for sewer and water infrastructure replacement.
- Under contract with the City of Gonzales for grant identification, development, and compliance oversight grant funded City projects.

West Wise Special Utility District - West Wise Special Utility District (2017 to present)

- Secured TWDB funding of over \$13 million for new water treatment plant
- Provide ongoing grant management, monitoring, reporting and reimbursement assistance to Client

City of McKinney

- Wrote successful grant applications and manage grant contract compliance, monitoring and reporting for all grant-funded city programs
 - 2010 Energy Conservation Block Grant (\$1,075,000 DOE)

- 2010 Brownfield Hazardous Assessment Grants (\$400,000 EPA)
- 2010- 2018 Department of Homeland Security (approx. \$200,000 annually)
- 2010 - 2018 JAG Grants (approx. \$25,000 annually)
- 2011 Transportation Enhancement Grant (\$250,000 TXDOT)
- 2011 JARC Grant (\$250,000 NCTCOG)
- 2012 Planning Study (\$250,000 NCTCOG)
- 2012 Infrastructure (\$1,760,000 NCTCOG)
- 2015 NRCS & TSSWCB Flood Control (\$3,012,750)
- 2018 Secured funding and provide oversight for management of TxDOT and FTA Transit grants
- 2009-2018 Community Development Block Grant (approx. \$700,000 annually)

City of Fort Worth (2006 - 2009)

- Wrote successful grant application and provided project management interface between EPA and contractors for \$1,000,000 Brownfield Cleanup Revolving Loan Fund (BCRLF)
 - Oversaw Municipal Setting Designation (MSD) program for the City
 - Using loan contract templates, interfaced between Fort Worth Legal Department and developers to insure that contract terms reflected project financing objectives and met compliance requirements
 - Coordinate construction and financial milestones for project while ensuring compliance with public financing requirement

References

James L. Ward
 District Manager
 West Wise Special Utility District (WWSUD)
jlwestwise@wccs.net
 (940) 683-5507

Mr. Charlie Price
 Development Corporation of Tarrant County
charlieprice@sbcglobal.net
 (817) 870-9008

Mr. Tim Patek
 City Manager, City of Gonzales
tpatek@gonzales.texas.gov
 (830) 672-2815

Deliverables and Pricing

Grant Writing and Administration will be offered to the City of Gonzales by JET Development, LLC. JET will submit a competitive application that reflects your community's needs. Our contract-related management services will address requirements in a superior way and will be the most advantageous to your grant application. Our complete service package, as proposed, brings a thorough "turn-key" product, including the following:

Project Deliverables:

- A. Application Preparation
- B. Implementation Plan
- C. Financial Management
- D. Record Keeping Requirements
- E. Environmental Clearance Procedures
- F. Real Property Acquisition (if needed)
- G. Equal Employment Opportunity Requirements
- H. Labor Standards Monitoring
- I. Contract Close-out

A. Application Preparation

- 1. Assist in establishing a project that best meets the client's needs.
- 2. Coordinate with all parties involved to obtain required documentation.
- 3. Assist in the completion and submittal of the application.

B. Implementation Plan

- 1. Provided for each successful grant application.
- 2. Includes project specific grant deliverables, including a project schedule, required finance and progress reporting, as well as all cross-cutting requirements.
- 3. Include due dates, along with person responsible for the deliverable –staff where capacity exists or consultant

C. Financial Management

- 1. Assist in providing documentation to the State's audit division of the ability to manage the grant funds.
- 2. Assist in Finance Department with establishing compliant accounting procedures and controls.
- 3. Coordinate all grant "kick-off" documentation for financial records.
- 4. Assist in the preparation of requests for funds.

D. Recordkeeping Requirements

- 1. Provide professional guidance with respect to the implementation of the project and regulatory matters.
- 2. Furnish necessary forms and procedures for implementation of the project.

3. Provide technical assistance to personnel who will be directly involved in the program for routine tasks.
4. Assist in developing a record keeping system consistent with program guidelines, including the establishment and maintenance of program files.
5. Serve as liaison during any monitoring visits by staff representatives from regulatory agencies.

E. Environmental Review – not included in proposal cost but will provide procurement and contract management oversight for Environmental Review Services

1. Prepare environmental assessment.
2. Coordinate environmental clearance procedures with other interested parties.
3. Document consideration of any public comments.
4. Prepare any required assessment of environmental characteristics.
5. Prepare request for release of funds and certifications

F. Acquisition (if needed)

1. Provide engineer with general advice regarding the appropriate method to acquire real property.
2. Maintain a separate file for each parcel of real property acquired.
3. Determine necessary method(s) for acquiring real property.
4. Prepare and submit required acquisition reports.

G. Equal Opportunity

1. Assist in developing, implementing and documenting any required activities to affirmatively further fair housing or document Civil Rights Compliance
2. Assist in documenting of all project beneficiaries by income, ethnicity and gender.
3. Assist in compliance with Section 3 requirements.
4. Assist in meeting all Section 504 requirements.

H. Labor Standards

1. Assist in determining whether and/or what contract activities will be carried out in whole or in part via force account labor.
2. Assist in determining whether or not it will be necessary to hire temporary employees to specifically carry out contract activities.
3. Assist in documenting personnel, equipment and materials expended/used, and their costs.
4. Assist in documenting compliance with all federal and State requirements related to equal employment opportunity.
5. Assist in documenting compliance with Fair Labor Standards.
6. Provide assistance to or act as local labor standards officer, including wage rates
7. Oversee compliant procurement procedures and labor standards forms..
10. Verify contractor and subcontractor eligibility.
11. Submit notice of contract award, notice of start of construction and final wage compliance report.
12. Conduct pre-construction conference and prepare minutes.
13. Review weekly payrolls and conduct compliance follow-ups.
14. Assist in conducting employee interviews.

I. Audit/Close-out Procedures

1. Prepare the final Project Completion Report, including Minority Business Report and Monthly Employment Utilization Report, documentation of Fair Housing activities and Certificate of Completion.
2. Assist in responding to any monitoring findings.
3. Assist in resolving any third-party claims.
4. Provide auditor with audit guidelines.

Project Cost

The cost for grant writing services (not covered by the grant) is \$50 per hour and the cost of grant-funded contract administration is \$125 per hour, not to exceed Thirty Thousand and No/100 Dollars (\$30,000.00). This includes the management/administrative services provided for successful completion of the aforementioned deliverables. Monthly invoices will include reports summarizing time expended and describe activities undertaken during the previous month. Invoicing will be tied to project milestones and reimbursement requests.

Texas Community Development Block Grant
Phase Two Solicitation for Administrative Services
Request for Project-Specific Proposal

Applicant Community:	City of Gonzales		
Name of Firm Solicited:	JET Development, LLC Janay Tieken janay@jetdevelopmentllc.com		
Firm Address:			
Date Phase 2 Solicitation Sent:	July 14, 2020	Date Response Due:	July 28, 2020
Description of Anticipated Project:	Sidewalks and other infrastructure		
Anticipated Scope of Work: (check services requested)	<input checked="" type="checkbox"/> Application Preparation Services <input checked="" type="checkbox"/> Basic Contract Implementation Services <input type="checkbox"/> Assistance for Acquisition of Real Property <input checked="" type="checkbox"/> Compliance with federal Labor Standards (for construction contracts) <input checked="" type="checkbox"/> Section 106 compliance <input type="checkbox"/> Other _____		
Evaluation Criteria (provide for each): <ul style="list-style-type: none"> the maximum number of points; categories such as Very Important, Somewhat Important, or Minor Importance; or other indication of the relative importance of the criteria 	Criteria	Maximum Score or Relative Importance	Not Used
	Experience	30	
	Prior Work Performance	30	
	Capacity to Perform	20	
	Proposed Cost (required)	20	
	Other _____		
	Other _____		
Send Response to:	Name	Laura Zella	
	Address	lzella@gonzales.texas.gov	

9/1/2019

Texas Community Development Block Grant

2020 TxCDBG Program Year

Phase Two Solicitation for Administrative Services

Response from Service Provider (Optional Format)

Applicant Community:	City of Gonzales	Name of Firm Providing Proposal:	JET Development LLC
Fund Category:	Community Development Fund	Firm Point of Contact:	Janay Tieken
Date Proposal Submitted:	7/16/20	Total Proposed Cost:	\$30,000
Conflict of Interest: (identify any actual or potential conflict of interest that must be addressed)	<input type="checkbox"/> No employee, officer or agent of the Grant Recipient or Applicant/Service Provider shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. <input type="checkbox"/> The following potential or actual conflict of interest must be addressed: <ul style="list-style-type: none"> ○ Owner or employee of the firm has a familial relationship with a local official, including the utility provider. ○ Owner or employee of the firm has financial interest in the utility provider intended to benefit from the project. ○ Other _____ 		

Cost Category	Proposed Fee	Self-Performed or Subcontracted
Pre-application Costs (not payable or reimbursable with TxCDBG funds)		
Preparation and submittal of grant application	\$4,000	Self-Performed
Basic Services (all grant administration contracts)		
Environmental review		N/A
Assistance in procurement process	\$4,000	Self-Performed
Preparation and submittal of drawdown requests	\$5,000	Self-Performed
Record keeping	\$4,000	Self-Performed
Preparation and submittal of reports as required	\$5,000	Self-Performed
Contract management	\$4,000	Self-Performed
Preparation and submittal of close-out documents	\$4,000	Self-Performed
Other Services (include only applicable services)		
Housing activities		N/A
OSSF activities		N/A
Acquisition of real property services		N/A
Labor standards		N/A

TxCDBG Applicant: City of Gonzales

Firm Responding: JET Development LLC

2020 Phase Two Solicitation for Administrative Services – Response

Page 1

Other Fees		
List any other fees necessary to successfully complete a project (add rows as necessary).		
Proposed Scope of Services		
Check services proposed for the anticipated TxCDBG project (add rows as necessary).		
Application Preparation Services xProvide general advice and technical assistance in preparing the application in conformance with TxCDBG program requirements; xPrepare beneficiary documentation in conformance with TxCDBG program requirements; and xEnsure the completed application is submitted to TDA on or before the application deadline. <input type="checkbox"/> Other:		
Basic Contract Implementation Services xProvide general advice and technical assistance on regulatory matters and implementing project activities included in the approved grant application in conformance with TxCDBG program requirements; xAssist in the procurement process such as preparing notices and solicitation of bids for engineering, construction activities, or other grant-related services; xAssist in meeting financial, administrative, and bookkeeping requirements of the TxCDBG program, including review of invoices received for payment, preparation of grant fund drawdown requests and retention of all pertinent records and documents sufficient to reflect all charges submitted; xAssist in meeting record keeping requirements of the TxCDBG program, including the establishment and maintenance of an acceptable filing system; xAssist in contract administration and monitoring requirements of the TxCDBG program, including enforcement of compliance requirements; xAssist in the environmental review process for the proposed project, including preparing and submitting necessary documentation to the appropriate agency for clearance or approval, and preparing xRequest for Release of Funds and required certifications and submitting them to TDA; xAssist in meeting all special condition requirements stipulated in the grant contract; xAct as a liaison between the local government, construction contractors, and TDA to ensure an efficient, smoothly managed program; xMonitor the work of authorized contractors and subcontractors. xFurnish necessary forms and submit all required reports as outlined in the grant contract; xPrepare and submit any program amendments, including re-assessments of environmental clearances, as necessary during the duration of the project; and xPrepare and coordinate the submission of appropriate documents for TxCDBG contract close-out and completion. xAssist in developing, implementing and documenting new activities to affirmatively further fair housing during the grant term; <input type="checkbox"/> Other:		
Assistance for Acquisition of Real Property		

xProvide guidance regarding real property acquisition activities and assistance in meeting real property acquisition/URA requirements, including preparation of correspondence to property owners, and preparation and submission of required reports to TDA.

☐ Other:

Compliance with federal Labor Standards

xProvide guidance regarding federal labor standards and assistance in meeting Davis-Bacon Act and related federal labor laws; and

xServe as Labor Standards Officer for the project.

☐ Other:



ALERT: SAM.gov will be down for scheduled maintenance Saturday, 01/11/2020 from 8:00 AM to 1:00 PM

ALERT: The DFARS provision currently numbered 252.204-70ZZ will be updated to 252.204-7016 in SAM's next release. Additionally, the clause at paragraph (a) will be updated to reference 252.204-7018 instead of 252.204-YY.

Entity Dashboard

- [Entity Overview](#)
- [Entity Registration](#)
 - [Core Data](#)
 - [Assertions](#)
 - [Reps & Certs](#)
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- [Reports](#)
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 - [BioPreferred Report](#)
- [Exclusions](#)
 - [Active Exclusions](#)
 - [Inactive Exclusions](#)
 - [Excluded Family Members](#)

[RETURN TO SEARCH](#)

JET DEVELOPMENT, LLC
 DUNS: 059857861 CAGE Code: 87YM5
 Status: Active
 Expiration Date: 11/12/2020
 Purpose of Registration: All Awards

2149 PEMBROOKE PL.
 DENTON, TX, 76205-8209
 UNITED STATES

Entity Overview

Entity Registration Summary

Name: JET DEVELOPMENT, LLC
Business Type: Business or Organization
Last Updated By: Janay Tieken
Registration Status: Active
Activation Date: 11/14/2019
Expiration Date: 11/12/2020

Exclusion Summary

Active Exclusion Records? No



IBM-P-20191213-1127
 WWW7

Search Records Disclaimers FAPIIS.gov
 Data Access Accessibility GSA.gov/IAE
 Check Status Privacy Policy GSA.gov
 About USA.gov
 Help

Texas Community Development Block Grant
Phase Two Solicitation for Administrative Services
Request for Project-Specific Proposal

Applicant Community:	City of Gonzales		
Name of Firm Solicited:	Asi' Grant Consulting Candy Hobbs candyhobbs@gmail.com		
Firm Address:			
Date Phase 2 Solicitation Sent:	July 14, 2020	Date Response Due:	July 28, 2020
Description of Anticipated Project:	Sidewalks and other infrastructure		
Anticipated Scope of Work: (check services requested)	<input checked="" type="checkbox"/> Application Preparation Services <input checked="" type="checkbox"/> Basic Contract Implementation Services <input type="checkbox"/> Assistance for Acquisition of Real Property <input checked="" type="checkbox"/> Compliance with federal Labor Standards (for construction contracts) <input checked="" type="checkbox"/> Section 106 compliance <input type="checkbox"/> Other _____		
Evaluation Criteria (provide for each): <ul style="list-style-type: none"> the maximum number of points; categories such as Very Important, Somewhat Important, or Minor Importance; or other indication of the relative importance of the criteria 	Criteria	Maximum Score or Relative Importance	Not Used
	Experience	30	
	Prior Work Performance	30	
	Capacity to Perform	20	
	Proposed Cost (required)	20	
	Other _____		
	Other _____		
	Other _____		
Send Response to:	Name	Laura Zella	
	Address	lzella@gonzales.texas.gov	

Texas Community Development Block Grant

2020 TxCDBG Program Year

Phase Two Solicitation for Administrative Services

Response from Service Provider (Optional Format)

Applicant Community:	City of Gonzales	Name of Firm Providing Proposal:	Asi' Grant Consulting
Fund Category:	2020-2021 TxCDBG Community Development	Firm Point of Contact:	Candy Hobbs
Date Proposal Submitted:	July 20, 2020	Total Proposed Cost:	\$35,000 or 13 % whichever is less
Conflict of Interest: (identify any actual or potential conflict of interest that must be addressed)	<input checked="" type="checkbox"/> No employee, officer or agent of the Grant Recipient or Applicant/Service Provider shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. <input type="checkbox"/> The following potential or actual conflict of interest must be addressed: <ul style="list-style-type: none"> ○ Owner or employee of the firm has a familial relationship with a local official, including the utility provider. ○ Owner or employee of the firm has financial interest in the utility provider intended to benefit from the project. ○ Other _____ 		

Cost Category	Proposed Fee	Self-Performed or Subcontracted
Pre-application Costs (not payable or reimbursable with TxCDBG funds)		
Preparation and submittal of grant application	Inclusive	Self
Basic Services (all grant administration contracts)		
Environmental review	Inclusive	Self
Assistance in procurement process	Inclusive	Self
Preparation and submittal of drawdown requests	Inclusive	Self
Record keeping	Inclusive	Self
Preparation and submittal of reports as required	Inclusive	Self
Contract management	\$31,500 or 13% whichever is less	Self
Preparation and submittal of close-out documents	\$3,500 or 13% whichever is less	Self
Other Services (include only applicable services)		
Housing activities	n/a	n/a
OSSF activities	n/a	n/a

Acquisition of real property services	n/a	n/a
Labor standards	n/a	n/a
Other Fees		
List any other fees necessary to successfully complete a project (add rows as necessary).		
Proposed Scope of Services		
Check services proposed for the anticipated TxCDBG project (add rows as necessary).		
Application Preparation Services		
<input checked="" type="checkbox"/> Provide general advice and technical assistance in preparing the application in conformance with TxCDBG program requirements;		
<input checked="" type="checkbox"/> Prepare beneficiary documentation in conformance with TxCDBG program requirements; and		
<input checked="" type="checkbox"/> Ensure the completed application is submitted to TDA on or before the application deadline.		
<input type="checkbox"/> Other:		
Basic Contract Implementation Services		
<input checked="" type="checkbox"/> Provide general advice and technical assistance on regulatory matters and implementing project activities included in the approved grant application in conformance with TxCDBG program requirements;		
<input checked="" type="checkbox"/> Assist in the procurement process such as preparing notices and solicitation of bids for engineering, construction activities, or other grant-related services;		
<input checked="" type="checkbox"/> Assist in meeting financial, administrative, and bookkeeping requirements of the TxCDBG program, including review of invoices received for payment, preparation of grant fund drawdown requests and retention of all pertinent records and documents sufficient to reflect all charges submitted;		
<input checked="" type="checkbox"/> Assist in meeting record keeping requirements of the TxCDBG program, including the establishment and maintenance of an acceptable filing system;		
<input checked="" type="checkbox"/> Assist in contract administration and monitoring requirements of the TxCDBG program, including enforcement of compliance requirements;		
<input checked="" type="checkbox"/> Assist in the environmental review process for the proposed project, including preparing and submitting necessary documentation to the appropriate agency for clearance or approval, and preparing Request for Release of Funds and required certifications and submitting them to TDA;		
<input checked="" type="checkbox"/> Assist in meeting all special condition requirements stipulated in the grant contract;		
<input checked="" type="checkbox"/> Act as a liaison between the local government, construction contractors, and TDA to ensure an efficient, smoothly managed program;		
<input checked="" type="checkbox"/> Monitor the work of authorized contractors and subcontractors.		
<input checked="" type="checkbox"/> Furnish necessary forms and submit all required reports as outlined in the grant contract;		
<input checked="" type="checkbox"/> Prepare and submit any program amendments, including re-assessments of environmental clearances, as necessary during the duration of the project; and		
<input checked="" type="checkbox"/> Prepare and coordinate the submission of appropriate documents for TxCDBG contract close-out and completion.		
<input checked="" type="checkbox"/> Assist in developing, implementing and documenting new activities to affirmatively further fair housing during the grant term;		
<input type="checkbox"/> Other:		
Assistance for Acquisition of Real Property		

- ☐ Provide guidance regarding real property acquisition activities and assistance in meeting real property acquisition/URA requirements, including preparation of correspondence to property owners, and preparation and submission of required reports to TDA.
- ☐ Other:

Compliance with federal Labor Standards

- ☒ Provide guidance regarding federal labor standards and assistance in meeting Davis-Bacon Act and related federal labor laws; and
- ☐ Serve as Labor Standards Officer for the project.
- ☐ Other:



ASI' GRANT CONSULTING

502 E. THIRD STREET – P.O. Box 1031

BRACKETTVILLE, TEXAS 78832

4almagutierrez@gmail.com candyhobbs@gmail.com

Application Preparations & Grant Management Services

Statement of Qualifications AND Proposal of Costs



ASI' GRANT CONSULTING

502 E. THIRD STREET— P.O. BOX 1031

BRACKETTVILLE, TEXAS 78832

4almagutierrez@gmail.com candyhobbs@gmail.com

∞ HISTORY OF THE PARTNERSHIP ∞

Asi' Grant Consulting is a partnership of professionals established and officed in Brackettville, Texas. Two recent retirees of the local school district with 60 combined years of service launched this firm in early 2019. Our careers were spent in service of a small community as educators, our goal is to continue living a life dedicated to giving and in support of Texas communities.

Our partnership is structured to work with local, state, and federal government entities in support of establishing and creating productive applications to access funding sources available through private, state, and federal agencies to give life to projects for desired community benefit.

∞ SCOPE OF SERVICES ∞

◇ Scope of Services Proposed

It is with confidence that Asi' Grant Consulting offers our services for preparation and submittal of competitive grant applications for community projects. As long time partners, we offer many years of experience in administration of projects from proposal to conclusion.

- Application Preparation
 - Assist in project details to produce a completed application through submittal to agency.
- Administrative Services
 - Assist with general advice and technical assistance on regulatory matters and implementing project activities included in the approved grant application.



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-
- Provide professional administrative and management services as determined by the local government participating in the funding program.
 - Preparation and submittal of all completed grant forms by the appropriate deadline.
 - Financial Management
 - Assistance in meeting financial, administrative, and bookkeeping requirements of the program, including review of invoices received for payment, drawdown requests, and retention of all pertinent documents and records for charges submitted.
 - Assistance in documentation of grant fund management, establishing and maintaining dedicated bank account and ledgers, and submittal of any depository forms.
 - Record Keeping Requirements
 - Act as the liaison between the local government, contractors, and funding agency to ensure an efficient, smoothly managed program.
 - Assist in meeting all requirements stipulated in the grant contract.
 - Assist in meeting all record keeping requirements of the funding agency, including the establishment and maintenance of an acceptable filing system.
 - Assistance in the procurement process that can include preparing notices and solicitation of bids for engineering, construction activities, or other grant related services.
 - Furnish necessary forms and submit all required reports as outlined in the grant contract.
 - Serve as liaison during any monitoring visits by staff representatives from funding agency.



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-
- Environmental Clearance Procedures
 - Assist in the environmental review process for the proposed project, including preparing and submitting necessary documentation to the appropriate agency for clearance or approval, and preparing Requests for the Release of funds and required certification through submittal to the funding agency.
 - Acquisition
 - Coordination with preliminary engineering report.
 - Assist through guidance regarding real property acquisition activities and assistance in meeting real property acquisition requirements, including preparation of correspondence to property owners, and preparation and submission of required reports.
 - Equal Employment Opportunity Requirements
 - Assist in developing, implementing, and documenting new activities to affirmatively further fair housing during the grant term to include documentation and meeting all compliance requirements.
 - Labor Standards
 - Provide guidance regarding federal labor standards and assistance in meeting Davis-Bacon Act and related federal labor laws.
 - Assist in documenting compliance with all State and Federal requirements related to equal opportunity employment.
 - Provide guidance in the documentation of required minimum wage and overtime pay.
 - Assist in monitoring the work of authorized contractors and subcontractors.



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4almagutierrez@gmail.com candyhobbs@gmail.com

○ Audit/Close-out Assistance

- Prepare and submit any program amendments, including re-assessments of environmental clearances, as necessary during the duration of the project.
- Prepare and coordinate the submission of appropriate documents for contract close-out and completion.
- Assist local government responses to any monitoring findings.

∞Qualifications∞

◇ Statement of Qualifications

Being a small business that is woman owned and minority owned, our partnership has traveled across time and miles. We are two small town women who each hold a Master's degree that has lead us to present at state level conventions to our fellow administrators. Our partnership has 20 years of combined administrative knowledge and 9 years combined grant writing experience.

Our current mission is to assist small, rural, underserved communities of Texas, from government entities to local education agencies, obtain grant funding to strengthen the existence of all who reside therein.

Asi' Grant Consulting's work developed within the given timeline will assist entities, local, state, and federal, in pursuing, writing, developing applications, and administrating grant funds in an economically practicable and effective process to ensure beneficial health, safety, and welfare of all communities in the State of Texas.



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◇ Experience of Staff

The partners of Asi' Grant Consulting are newly retired educators. The availability and commitment of the firm and personnel to undertake projects will be ample. Our previous experiences have prepared us to work collectively and collaboratively with all persons involved in advancing the grant process from beginning to completion.

- Alma Gutierrez – General Partner, Consultant, Grant Writer, & Administrator; retired educator with 30 years of experience, 5 years as dedicated grant writer/administrator, 10 years as Campus Administration
 - Bachelor's Degree – St. Edwards University, Austin, Texas
 - Master's Degree – Sul Ross State University, Alpine, Texas
 - Principal's Certification
 - Superintendent's Certification
 - Texas Department of Agriculture Certified Administrator, September 2019
 - Bilingual – Fluent in Spanish, speaking, reading, and writing
- Candy Hobbs – General Partner, Consultant, Grant Writer, & Administrator; retired educator with 30 years of experience, 10 years as dedicated Specialist, 3 years as Campus Administration
 - Bachelor's Degree – Sul Ross State University, Alpine, Texas
 - Master's Degree – Sul Ross State University, Alpine, Texas
 - Principal's Certification
 - Texas Department of Agriculture Certified Administrator, September 2019



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◇ Experience with Grant Sources

- Texas Department of Agriculture, Office of the Governor of the State of Texas; Texas Department of Transportation – CTIF 2020
- Texas Education Agency; Blended Learning Grant, Safety and Securing Grant, Technology Lending Grant
- Texas Workforce Commission
- United States: Department of Justice; Department of Education; Department of Agriculture
- Texas Commission on Environmental Quality
- Independent Grants: Hill Crest Foundation; Hogg Foundation; Dollar General Literacy Grant



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∞ Proposed Cost ∞

◇ PROPOSED COST

Contractor will be reimbursed for the completion of the listed project milestones per the following for Administrative and Management Services.

PROFESSIONAL ADMINISTRATIVE & MANAGEMENT SERVICES

1. Submittal of all Start-up and Civil Rights Documentation..... 25%
2. Receipt of Authority to Use Grant Funds..... 25%
3. Submittal of all Documentation..... 20%
4. 50% Project Completion..... 20%
5. Preparation and Submission of Close-out Documentation..... 10%

◇ FEE SCHEDULE

Item Number		Percentage		Amount
1		25%		\$ 8,750
2		25%		\$ 8,750
3		20%		\$ 7,000
4		20%		\$ 7,000
5		10%		\$ 3,500
TOTAL		100%		\$ 35,000

\$35,000 or 13% whichever is less.

Percentage of Profit: Asi' Grant Consulting expected percentage of profit is approximately three-percent (3%) of the total fee.

SAM Search Results
List of records matching your search for :

Record Status: Active
DUNS Number: 117235425

ENTITY	Asi' Grant Consulting	Status: Active
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DUNS: 117235425	+4:	CAGE Code: 8GH87	DoDAAC:
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Expiration Date: 01/12/2021	Has Active Exclusion?: No	Debt Subject to Offset?: No
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Address: 502 E Third St	State/Province: TEXAS
City: Brackettville	Country: UNITED STATES
ZIP Code: 78832-2208	

Texas Community Development Block Grant

2020 TxCDBG Program Year

Phase Two Solicitation for Administrative Services

Response from Service Provider (Optional Format)

Applicant Community:	City of Gonzales	Name of Firm Providing Proposal:	Langford Community Management Services, Inc.
Fund Category:	Downtown Revitalization/ Main Street Program	Firm Point of Contact:	Judy Langford
Date Proposal Submitted:	7/14/20	Total Proposed Cost:	10% of Grant Request
Conflict of Interest: (identify any actual or potential conflict of interest that must be addressed)	<input checked="" type="checkbox"/> No employee, officer or agent of the Grant Recipient or Applicant/Service Provider shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. <input type="checkbox"/> The following potential or actual conflict of interest must be addressed: <ul style="list-style-type: none"> ○ Owner or employee of the firm has a familial relationship with a local official, including the utility provider. ○ Owner or employee of the firm has financial interest in the utility provider intended to benefit from the project. ○ Other _____ 		

Cost Category	Proposed Fee	Self-Performed or Subcontracted
Pre-application Costs (not payable or reimbursable with TxCDBG funds)		
Preparation and submittal of grant application	0.00	Self-performed
Basic Services (all grant administration contracts)		
Environmental review	20% of Total Proposed Cost	Self-performed
Assistance in procurement process	10% of Total Proposed Cost	Self-performed
Preparation and submittal of drawdown requests	10% of Total Proposed Cost	Self-performed
Record keeping	15% of Total Proposed Cost	Self-performed
Preparation and submittal of reports as required	10% of Total Proposed Cost	Self-performed
Contract management	15% of Total Proposed Cost	Self-performed
Preparation and submittal of close-out documents	10% of Total Proposed Cost	Self-performed
Other Services (include only applicable services)		
Housing activities	N/A	

TxCDBG Applicant: City of Gonzales

Firm Responding: Langford Community Management Services

2020 Phase Two Solicitation for Administrative Services – Response

Page 1

OSSF activities	N/A	
Acquisition of real property services	N/A	
Labor standards	10% of Total Proposed Cost	Self-performed
Other Fees		
List any other fees necessary to successfully complete a project (add rows as necessary).		None anticipated
Proposed Scope of Services		
Check services proposed for the anticipated TxCDBG project (add rows as necessary).		
Application Preparation Services <ul style="list-style-type: none"> ✓ Provide general advice and technical assistance in preparing the application in conformance with TxCDBG program requirements; ✓ Prepare beneficiary documentation in conformance with TxCDBG program requirements; and ✓ Ensure the completed application is submitted to TDA on or before the application deadline. ✓ Other: Langford Community Management Services, Inc. (LCMS) will assist/prepare required pictures and letters from benefitting businesses required for application. Prepare public hearing notice/second notice and send to the newspaper, prepare resolution to submit application, assist City with Request for Qualifications for Engineering and complete and submit application. Basic Contract Implementation Services <ul style="list-style-type: none"> ✓ Provide general advice and technical assistance on regulatory matters and implementing project activities included in the approved grant application in conformance with TxCDBG program requirements; ✓ Assist in the procurement process such as preparing notices and solicitation of bids for engineering, construction activities, or other grant-related services; ✓ Assist in meeting financial, administrative, and bookkeeping requirements of the TxCDBG program, including review of invoices received for payment, preparation of grant fund drawdown requests and retention of all pertinent records and documents sufficient to reflect all charges submitted; ✓ Assist in meeting record keeping requirements of the TxCDBG program, including the establishment and maintenance of an acceptable filing system; ✓ Assist in contract administration and monitoring requirements of the TxCDBG program, including enforcement of compliance requirements; ✓ Assist in the environmental review process for the proposed project, including preparing and submitting necessary documentation to the appropriate agency for clearance or approval, and preparing Request for Release of Funds and required certifications and submitting them to TDA; ✓ Assist in meeting all special condition requirements stipulated in the grant contract; ✓ Act as a liaison between the local government, construction contractors, and TDA to ensure an efficient, smoothly managed program; ✓ Monitor the work of authorized contractors and subcontractors. ✓ Furnish necessary forms and submit all required reports as outlined in the grant contract; ✓ Prepare and submit any program amendments, including re-assessments of environmental clearances, as necessary during the duration of the project; and ✓ Prepare and coordinate the submission of appropriate documents for TxCDBG contract close-out and completion. 		

- ✓ Assist in developing, implementing and documenting new activities to affirmatively further fair housing during the grant term;
- ✓ Other: **LCMS works diligently to administer a TxCDBG project completely. With funding of project, we provide the City a set of files to keep at the City, which we will maintain during visits. LCMS then keep a duplicate set of files at our offices to seamlessly administer the program with the City. We provide a level of service that reduces the staff's time with the program to only signing vouchers and forms as required by the program.**

Assistance for Acquisition of Real Property

- ✓ Provide guidance regarding real property acquisition activities and assistance in meeting real property acquisition/URA requirements, including preparation of correspondence to property owners, and preparation and submission of required reports to TDA.
- ✓ Other: **For Downtown Revitalization/Main Street Projects, no acquisition is anticipated, however if necessary, will assist City with all required documentation.**

Compliance with federal Labor Standards

- ✓ Provide guidance regarding federal labor standards and assistance in meeting Davis-Bacon Act and related federal labor laws; and
- ✓ Serve as Labor Standards Officer for the project.
- ✓ Other: **As Labor Standards Officer, Langford Community Management Services, Inc. (LCMS) will receive and oversee all construction payrolls for accuracy and complete required on-site interviews. We also complete the 10-day call process, request for wage rates and review of construction manuals for inclusion of all TDA required documents.**

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving **Resolution 2020-77** Authorizing
the City Manager to Enter into an Agreement
for Environmental Services for the CDBG-DR
Grant

DATE: Aug. 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

On July 22, 2020 City staff sent a Request for Proposals to Environmental Services Providers to provide environmental services for the City of Gonzales, CDBG-DR Infrastructure Grant through the Texas General Land Office (GLO). The selected firm will provide environmental services and clearance for the CDBG-DR funded wastewater infrastructure project.

The RFP was sent out to prequalified firms on July 22, 2020 with proposals to be due via email on August 4, 2020 at 2 P.M. The City of Gonzales received three responses to the RFP. The three proposals received were from Cox McClain Environmental Consulting, Inc., Terracon, and ProSource Technologies, LLC.

On August 5, 2020, City staff met and evaluated the proposals based on the criteria set forth in the RFP and ranked the proposals with a possible score of 100 points: Cox McClain Environmental Consulting, Inc. scored 56 points, Terracon scored 64 points, and ProSource Technologies, LLC scored 51 points.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

Account #230-7-731.411 has a budget of \$29,971 allocated in the Wastewater Fund for the 2019-2020 Budget for Environmental Services for the CDBG-DR Infrastructure grant. Terracon's base proposal is for \$7,671, however, additional services will be needed, but not in an amount that would exceed the second lowest responsible bidder.

ATTACHMENTS:

Proposals were received from Cox McClain Environmental Consulting, Inc., Terracon, and ProSource Technologies, LLC.

STAFF RECOMMENDATION:

Based on the scoring criteria staff's recommendation would be to contract with Terracon in an amount not to exceed \$25,000.

RESOLUTION NO. 2020-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ENVIRONMENTAL SERVICES FOR THE TEXAS GENERAL LAND OFFICE (GLO) CDBG-DR INFRASTRUCTURE GRANT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on July 22, 2020 City staff issued a Request for Proposals (RFP) for firms to provide Environmental Services for the City of Gonzales for the Texas GLO CDBG-DR Infrastructure Grant; and,

WHEREAS, the Request for Proposals were sent via email on July 22, 2020, to be due on August 4, 2020; and,

WHEREAS, proposals were received from Cox McClain Environmental Consulting, Inc., Terracon, and ProSource Technologies, LLC; and,

WHEREAS, City staff evaluated the proposals based on the firms understanding of the requirements, experience in providing similar services to the City or any other governmental entity, samples and references and key personnel professional background, certifications, and experience in providing the requested services during which Terracon received the highest score of the three proposals; and,

WHEREAS, Local Government Code Section 252.043(a) states that if the competitive bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods and services at the best value for the municipality; and,

WHEREAS, of the three proposals the best value and pricing provided was from Terracon, which includes additional charges, but in an amount that will not exceed the second lowest qualified bidder; and,

WHEREAS, the City Council finds that entering into an agreement with Terracon to provide Environmental Services for City of Gonzales CDBG-DR grant, awarded through the Texas General Land Office (GLO) wastewater infrastructure improvements, needed as a result of damage caused by Hurricane Harvey in an amount not to exceed \$25,000.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales hereby authorizes the City Manager to enter into an agreement with Terracon for Environmental Services.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 13 day of August, 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

From: [Karen Gardner](#)
To: [City Secretary](#)
Cc: [Walt Meitzen](#); [Proposals](#)
Subject: City of Gonzales GLO CDBG-DR proposal
Date: Tuesday, August 4, 2020 11:31:35 AM
Attachments: [City of Gonzales GLO CDBG-DR proposal_20200803.pdf](#)

Ms. Gilbert,

Attached please find Cox|McLain Environmental Consulting, Inc.'s proposal submitted in response to the City of Gonzales GLO CDBG-DR Request for Proposal.

We appreciate the opportunity to offer our services to the City of Gonzales.

Thank you,

Karen Gardner

KAREN M. GARDNER, RPA Proposal Coordinator/Safety Manager

[COX|McLAIN Environmental Consulting, Inc.](#)

[Austin](#) | [Houston](#) | [Irving](#) | [Tulsa](#) | [Oklahoma City](#)

8401 Shoal Creek Blvd., Suite 100 | Austin, TX 78757

(o) 512.338.2223 | (c) 512.924.9687

www.coxmclain.com

RFP for Administration Professional Services

TEXAS GENERAL LAND OFFICE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

PROPOSAL FOR PROFESSIONAL ENVIRONMENTAL SERVICES

Prepared for:

City of Gonzales
PO Box 547
820 St. Joseph Street
Gonzales, Texas 78629

Prepared by:

Cox|McLain Environmental Consulting, Inc.
8401 Shoal Creek Boulevard
Suite 100
Austin, Texas 78757
512-338-2223

August 3, 2020



COX | McLAIN
Environmental Consulting

1. TRANSMITTAL LETTER

City of Gonzales, Texas
Attn: City Secretary
PO Box 547
820 St. Joseph Street
Gonzales, Texas 78629

August 3, 2020

RE: CMEC Proposal for Professional Environmental Services

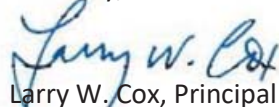
Cox|McLain Environmental Consulting, Inc. (CMEC) is pleased to submit the following proposal to provide environmental services to the City of Gonzales. CMEC's proposal meets mandatory provider requirements; we have no conflicts of interest; we meet insurance requirements; and have no exceptions to the terms of the contract.

The CMEC team has extensive experience helping Texas agencies, cities, counties, and other public entities fulfill regulatory responsibilities through the full cycle of project development, from early coordination through survey, testing, and project completion. Our team has the knowledge and experience to deal with any unexpected events that may arise and are committed to fulfilling the needs and requirements of the City of Gonzales. Key personnel identified in our proposal are experienced ecologists and environmental scientists who have decades of experience in environmental resources document preparation, field studies, and regulatory compliance for infrastructure projects. We are knowledgeable about the expectations of various regulatory agencies and have demonstrated experience completing complex projects across the state. in a technically proficient and fiscally efficient manner.

Our company is organized to enable us to be responsive to clients' needs. We currently hold on-call NEPA and environmental services (cultural resources, biology) contracts with entities including the Texas and Oklahoma DOTs and several utility companies including New Braunfels Utilities, Brazos Electric, LCRA, and Atmos Energy. Our focus on collecting high quality field data, using state of the art technology, and submitting quality documentation that undergoes a rigorous 3-tiered QA/QC process ensures that our clients receive the value that they deserve.

Our eminently qualified team brings a combination of highly skilled professionals who can mobilize quickly, work flexibly, and provide excellent value to the City. Please do not hesitate to contact me if you have any questions or need clarification on any aspect of our proposal. I am an officer of the firm who is authorized to bind the firm to contract. Our team looks forward to working with the City of Gonzales.

Sincerely,



Larry W. Cox, Principal

Cox|McLain Environmental Consulting, Inc.
8401 Shoal Creek Boulevard, Suite 100
Austin, TX 78757
512.338.2223 (office)
512.299.4429 (cell)
larry@coxmcclain.com

2. STATEMENT OF QUALIFICATIONS

CMEC is a HUB/DBE/WBE-certified environmental consulting firm founded in Austin, Texas in 2007 (celebrating 13 years of business this year). We have five offices located in Austin, Irving, and Houston, Texas as well as Oklahoma City and Tulsa, Oklahoma. On January 31, 2020, CMEC acquired Prewitt and Associates, Inc. (PAI), bringing their cultural resources staff and more than 40 years of experience in Texas to add to CMEC's current capabilities.

CMEC specializes in National Environmental Policy Act (NEPA) compliance and documentation. Our experienced team of over 60 full-time staff members includes wetland ecologists, wildlife biologists, geologists, hazardous materials specialists, planners, GIS specialists, archeologists, architectural historians, archival researchers, and historical architects. Embracing an interdisciplinary approach, our team has expertise in NEPA services, Section 404 of the Clean Water Act, threatened/endangered species consultations, routing/alternatives analysis, GIS services, archeology, geomorphology, and historic preservation planning. CMEC can provide U.S. Army Corps of Engineers (USACE), Texas Historical Commission (THC), Texas Commission on Environmental Quality (TCEQ), and U.S. Fish and Wildlife (USFWS) coordination including habitat assessments and presence absence surveys for several endangered species as well as National Historic Preservation Act (NHPA), and state antiquities code compliance. CMEC routinely provides their clients with a one-stop solution for environmental compliance, handling all aspects of environmental compliance, including scoping, field studies, technical reports, permitting, and public involvement activities. The CMEC team has completed over 600 technical reports to support CE determinations or in support of 16 EAs and parts of 10 EISs in the last 7 years.

CMEC has managed numerous environmental reviews for HUD projects in, and for, the City of Dallas, the City of Round Rock, the City of San Marcos, and the City of San Antonio. CMEC staff understand the regulations and the process for determining the appropriate level of environmental review (for example, CE versus EA/EIS). Recent experience with CDBG-DR projects includes two completed and three ongoing flood mitigation projects for the City of San Marcos. The two recently completed projects have successfully received approval and release of funds.

In addition to the recent CDBG-DR projects, CMEC has produced NEPA-compliant environmental review documents for projects that received State Clean Water Revolving Funds (CWRF) and that were reviewed by the Texas Water Development Board (TWDB). CMEC provided project support for a project that received both CWRF and CDBG-DR funding, which required two environmental review documents: one to HUD's requirements and one to TWDB's requirements (i.e., Environmental Information Document and CEs). CMEC was able to tailor their technical reports to meet the requirements of both agencies and prevent duplicated efforts.

CMEC intends to perform all environmental services identified in the Scope of Services with the exception of lead and asbestos testing. For these services, CMEC would be available to identify and subcontract analytical laboratory services if the City did not have vendors previously identified. Furthermore, as a HUB/DBE/WBE-certified firm, CMEC is committed to furthering the opportunities of similar vendors, in accordance with the City's DBE goals. CMEC has provided project review support and alternatives analyses for CDBG-DR projects that included assessments of potential permitting requirements, agency coordination needs, and appropriate environmental review level for each alternative. After the preferred alternative was identified, CMEC provided assessments of potential impacts to environmental resources accompanied by supporting documentation. These assessments and supporting documentation were prepared for submittal into the HUD Environmental Review Online System (HEROS). Supporting

documentation included historic and archeological surveys, wetland/waters of the U.S. delineations, protected species impact assessments, and hazardous materials reviews in accordance with HUD's guidance, which were all supported by appropriate field investigations by resource specialists. CMEC coordinated closely to support tasks that were required of the City (e.g., tribal coordination, posting of Notice of FONSI & RROF, all 8-step floodplain/wetland documentation and notification) and completed coordination tasks were allowed by HUD.

Our goal is to provide the highest quality environmental consulting services and the best customer care in an efficient manner. CMEC project managers routinely participate in project status meetings and provide project updates with each submitted invoice. We recognize the inherent risks and challenges associated with project development and believe that innovative problem solving coupled with a solid corporate work ethic are the most efficient tools to help clients manage those challenges. We have decades of collected experience in environmental resource management and a reputation for credibility and professionalism. We believe that ongoing communication between our dedicated professionals and clients will enhance responsiveness and result in the best product and value in comparison to the competition.

CMEC's various offices are equipped with the tools and staff needed to perform appropriate investigations and produce high-quality documents and exhibits. Staff routinely collaborate between offices for field investigations, document preparation, and QA/QC support. CMEC staff from the Austin and Houston offices are most likely to provide field assessments for City projects, but all staff are available to support document preparation to provide deliverables in a timely manner.

3. References

Kirk Abbott, P.E.
City of San Marcos
Department of Capital Improvements/Engineering
512-393-8149
KAbbott@sanmarcostx.gov

Umland Road Flood Improvements Project, CBDG-DR. CMEC provided environmental services for an EA-level review of this flooding risk reduction project. The project required USACE permitting.

Ken Gill
City of Victoria
Public Works Director/City Engineer
361-485-3381
kgill@victoriatx.gov

Guadalupe River Bank Stabilization Project. CMEC provided wetland/waters of the U.S. delineations, species impact assessments, and archeological survey for this USDA NRCS funded Emergency Watershed Protection project related to damage from Hurricane Harvey. The project required USACE permitting.

Scott McClelland, P.E.
City of Schertz
Engineer
210-619-1822
smcclelland@schertz.com

Woman Hollering Creek Wastewater Infrastructure Improvements Project. CMEC provided species assessments, waters of the U.S. delineations, and archeological survey for this locally funded force main and wastewater line installation project. CMEC assisted in identifying waters of the U.S. so that impacts could be avoided and permitting would not be required.

4. EXPERIENCE WITH CDBG, CDBG DISASTER RECOVERY, FEMA HAZARD MITIGATION OR SIMILAR PROJECTS

Our team has experience with CDBG, CDBG-DR, FEMA projects, and others that directly relate to the proposed services being requested by the City. Recent experience includes HUD funded CDBG-DR projects related to flood risk reduction with the City of San Marcos serving the role of Responsible Entity (RE). Each of these projects has required Environmental Assessment (EA) level analysis for the Environmental Review Record (ERR). We are registered and familiar with the HUD Environmental Review Online System (HEROS), the preparation of ERR documentation for submittal by the RE, and submitting documentation as the RE's Partner. We have a thorough understanding of the HUD review process including the sequential notifications and coordination efforts that are expected.

Our Project Manager, Walt Meitzen, has been project manager/ environmental task lead on three CDBG-DR projects that required coordination with the USACE. He successfully led field investigations and document preparation to support a Pre-Construction Notification (PCN) for Nationwide Permit 7, Outfall Structures and Associated Intake Structures (NWP 7). He is currently coordinating with USACE for other CDBG-DR projects; one includes an Approved Jurisdictional Determination and another includes potential impacts to threatened and endangered species. Both are anticipated to require NWP 7 PCNs and he has facilitated project-team discussions with USACE staff through Pre-Application Meetings.

Each HUD-funded project required a preliminary analysis of environmental constraints and project alternatives. Mr. Meitzen collaborated with other environmental resource specialists and GIS analysts to produce environmental constraints maps and summaries of the potential regulatory compliance commitments associated with each. These desk-top investigations were conducted in the first phase of environmental studies and they assisted in the decision making process and informed the decisions on final project design. Full impact assessment, agency coordination, and environmental clearance were carried out in later phases of project development.

Relevant Project Experience

City of San Marcos Uhland Road, Hays County, TX (completed; federally funded; CDBG-DR program; NEPA compliant, EA-level): The City of San Marcos experienced two historic flood events in 2015, resulting in loss of life and significant property damage. In 2016, the U.S. Department of Housing and Urban Development (HUD) allocated funds to an initial Community Development Block Grant Disaster Recovery (CDBG-DR) to assist with ongoing recovery needs of the City. Subsequently, the Uhland Road Improvement Project was recommended as part of the City of San Marcos CDBG-DR Infrastructure Feasibility Study, dated July 2017. A storm sewer system was proposed, along with the conversion of some portions of County and River Roads to depressed curb-and-gutter sections with adequate grading, and installation of new water and wastewater line on County and Uhland Road, and the construction of a 10-foot-wide shared-use path along the south side of Uhland Road. CMEC conducted an environmental constraints analysis (including hazmat, farmland protection, floodplain management), along with a historical resource survey, an archeological background review, waters of the U.S. determination and delineation, threatened and endangered species habitat assessment, and socioeconomic/environmental justice analysis. Public outreach, including a neighborhood meeting, and tribal consultation were also done on behalf of the City. A formal Environmental Assessment, detailing the determinations and compliance findings for HUD-assisted projects, was produced, in compliance with the standards established in 24 CFR Part 58. The project was completed on schedule and within the proposed budget. 2017-2019.

City of San Marcos Blanco Riverine, Hays County, TX (completed; federally funded by HUD and TWDB): CMEC provided support for USFWS coordination efforts and project strategy, as well as support for historic resource preservation and community impacts assessment. Project also involved coordination of cultural resource specialists and urban planners on the CMEC staff to provide compliance support for the environmental compliance documentation produced by the prime contractor. 2018.

City of Victoria Guadalupe River Bank Stabilization, Victoria County, TX (completed; USDA funded; USACE permitting, cultural resource services. CMEC provided environmental services for this bank stabilization project on the Guadalupe River in response to damages to water-wastewater infrastructure resulting from Hurricane Harvey. The project received funding through the USDA/NRCS Emergency Watershed Protection Program. CMEC provided waters of the U.S. field delineation and prepared a delineation report for submittal to the USACE Galveston District. The project received authorization through Nationwide Permit 37, Emergency Watershed Protection and Rehabilitation. CMEC also provided NHPA Section 106 compliant historic (and archeological) resource surveys and THC coordination. CMEC archeologists were able to preclude construction-phase monitoring based on observations made during early excavations, which was to the benefit of the project budget and schedule. Project authorization received from USACE in December 2019.

City of San Marcos CDBG-DR Funded, Blanco Gardens Flood Improvements, Hays County, TX (ongoing; federally funded; CDBG-DR program)—Managing the environmental review per current HUD standards for EA equivalent NEPA-compliant environmental compliance document. Completed initial scoping efforts to assess alternatives and determine whether EA or Categorical Exclusion (CE) documentation was appropriate. Has conducted preliminary coordination with USFWS and TPWD staff to develop impact avoidance measures for endangered species habitat and state stream resources adjacent to the project area. The project will include installation of additional underground stormwater infrastructure, a new outfall to the San Marcos River, and the construction of a large diversion canal. Project strategy includes continual coordination with the USFWS, TPWD, and THC to manage agency coordination and the related potential impact to project timeline and budget. Documentation will be completed with CMEC serving as the Partner User in HEROS. 2018.

City of Austin McNeil Drive Low Water Crossing, Travis County, TX (completed; locally funded; alternatives analysis; compliance assessment for USACE permitting and NHPA). The City of Austin proposed improvements to the McNeil Drive low water crossing at Walnut Creek Tributary 9 in Austin, Texas in an effort to improve public safety and access, to comply with the COA Drainage Criteria Manual, and to reduce flooding. CMEC prepared a Technical Memorandum for the City of Austin and Doucet + Chan reviewing hydrogeologic conditions, vegetation, trees and natural area protection, water resources, endangered, threatened and rare species, cultural resources, and hazardous materials for the project area. 2018.

City of Austin Walnut Creek – West Cow Path, Travis County, TX (completed; locally funded; local resource assessment for permit compliance): CMEC prepared an Environmental Resource Inventory for storm drain improvements for the Walnut Creek Flood Mitigation Project, for the City of Austin. The ERI covered areas where the City intended to expand and/or install stormwater management infrastructure. This included the West Cow Path project area, the Natrona Drive project area, the Pony Chase project area, and the Acropolis project area. Total project area was approximately 15 acres in size. 2017.

6. SERVICES PROVIDER PROPOSES TO PERFORM

As mentioned in our Statement of Qualifications, CMEC intends to perform all environmental services identified in the Scope of Services with the exception of lead and asbestos testing.

7. CAPACITY TO PERFORM THE WORK

CMEC has established a consistent project management philosophy to ensure successful completion of the City's objectives. We identify potential constraints as early as possible in the planning process, communicate identified issues to the project team and decision makers, and provide solutions that avoid, minimize, or deal with issues encountered. We'll allocate the staff required to meet your schedule.

Key personnel on the CMEC team are experienced, effective project managers and technical professionals. They manage staff schedules to ensure that the most qualified staff are devoted to the tasks and projects that represent the highest and best use of their time. CMEC staff members utilize best practices such as shared calendars, monthly staff meetings, weekly discipline/program status meetings, and project-specific meetings as needed to identify key milestones and monitor deliverable progress. Continuous communication across all parts of the team—field technicians, GIS analysts, materials and artifact analysts, project and program managers—enhances responsiveness and results in the best product and value. Proactive communication throughout the course of a project is the foundation of effective time management.

CMEC recognizes that despite the best planning efforts, unanticipated natural or cultural features may be discovered, agency priorities and political contexts may shift, and schedules may change. Flexibility and open communication among clients, regulatory agencies, stakeholders, and team members at all stages can keep unanticipated developments from delaying the project. The CMEC team is agile and can adjust quickly.

Staff availability will be based on need and suitability for active tasks during each phase of the project. CMEC is committed to responding to the City in a timely fashion and will reassign other projects as needed to make the appropriate staff available.

Office Locations to Provide the Services

Task orders for this contract will be staffed primarily out of our Austin, Texas headquarters. The Austin staff includes nearly 50 environmental professionals. Additional staff may be dispatched from any of our other four office locations, and we maintain a large stable of qualified archeological and ecological field technicians, who are available to mobilize for projects on an ad-hoc basis.



Management Plan

Our approach to all project types is to identify potential constraints as early as possible in the planning process, communicate identified issues to the project team and decision makers, and provide solutions that avoid, minimize, or deal with issues encountered. If we're assigned a specific Spread, we'll coordinate with the designated project manager in order to ensure that we understand the project and the schedule. We will proceed (following work authorization approval) based on the methods spelled out in the section below. We are organized to handle multiple work assignments with different (and often overlapping) schedules and scopes of work, based on a long history of on-call environmental services contracting. Knowing that our tasks can range from minor to significant, a one-size-fits-all approach to scheduling doesn't work. We'll allocate the staff required to meet your schedule.

CMEC is a regional leader in environmental consulting. CMEC's diverse team of 65+ full-time scientists includes wetland ecologists, GIS specialists, wildlife biologists, and environmental scientists with experience throughout Texas and the Southwest. CMEC has a demonstrated track record of providing high quality services, which often include flora and fauna/protected species surveys, wetland delineations, stream classifications, habitat assessments, stream and wetland mitigation planning, design and construction, USACE permitting, Texas Parks and Wildlife Department (TPWD) coordination and permitting, and United States Fish & Wildlife Service (USFWS) consultation and permitting. CMEC's strong background in regulatory compliance will streamline the path to environmental clearance.

CMEC understands that compliance with the ESA and USACE Section 404 are critical steps to environmental clearance. For Section 404 compliance, CMEC wetland ecologists have decades of experience navigating the complexities of identifying jurisdictional waters of the U.S. or wetlands and determining the appropriate level of permitting (Nationwide Permits versus Individual Permits). Our qualified staff has also developed permittee responsible mitigation plans where the purchase of credits from an approved mitigation bank was not an option.

The diverse Texas landscape provides habitat for a range of protected species, which can often complicate the environmental clearance process on infrastructure projects. CMEC has decades of experience navigating the complex regulatory hurdles surrounding ESA, as they apply to water treatment, transmission, and transportation projects. For example, CMEC conducted ecological investigations and construction monitoring for the City of San Marcos' Sessom Creek Wastewater Improvement project in Hays County. In addition to a detailed archeological survey and USACE coordination on this project, CMEC conducted informal coordination (as a risk management approach) with the USFWS to identify potential water quality commitments to protect aquifer species from construction sedimentation and runoff. CMEC has performed similar studies and surveys for the San Antonio Water System (SAWS) Cibolo Creek Sewershed Flow Diversion and W-2 Huebner Creek Sanitary Sewer Improvement projects in the greater San Antonio area in recent years.

Our team has also served as subject matter experts and expert witnesses for multiple transmission line projects, which are subject to a range of environmental regulations including the Endangered Species Act, Clean Water Act, Migratory Bird Protection Act, and Section 106 of National Historic Preservation Act, as amended.

All our staff persons would be available as needed for any project assignment under this proposal. Our staff workload and availability varies from week to week so we can commit as a company to procuring adequate depth of staff to fulfill all of our contractual commitments.

CMEC utilizes multiple tools and processes for our internal tracking systems. The anchor point for providing timely and cost-effective products to the client is early communication. A shared understanding of project timelines and letting schedules between the client and the consultant, as reflected in a clear scope document, is paramount for ultimate project success.

For day-to-day project work, we have a written Quality Assurance/Quality Control (QA/QC) procedure that is implemented for every project. The QA/QC procedure ensures that data collection is thorough and well-documented and updated as the project progresses so environmental information remains current through the life of a project. We also have a printed Safety Manual and Job Hazard Analysis Form that is given to all employees (permanent and hourly) and followed for all field projects. Our senior staff have years of environmental consulting experience dealing with controversial projects, and we understand that

challenges could occur at any phase of the project. We believe that the best defense against legal or regulatory delay is to provide ironclad documentation of all research, analysis, and communications.

The CMEC team is committed to strict adherence to client communication protocols. All work assignments and questions will flow from the City (via Program Manager/Owner's Representative) through CMEC's Project Manager to technical leads. All deliverables will flow up from technical departments and subconsultants through CMEC's rigorous QA/QC process to the City.

Our strong, multi-tiered QA/QC program and commitment to legal defensibility generate high-quality products designed to achieve the ultimate goal of environmental regulatory compliance and effective risk management. The QA/QC program functions as a continuous feedback loop within and across projects, and lessons learned are incorporated for future project reviews. CMEC utilizes a three-tiered QA/QC procedure (discipline lead, outside technical editor, and Project Manager reviews) that is implemented for every project as an essential part of our core business practice. The QA/QC procedure ensures that data collection is thorough, well-documented, and updated as the project progresses so information remains current throughout the life of a project. Any subcontractors used are held to our QA/QC standards as well as their own internal practices, and we will not hesitate to remove subcontractors who produce low-quality work or fail to meet deadlines.

CMEC recognizes that close communications help ensure that any major environmental issues or design changes are evaluated when they arise. CMEC plans to have multiple calls with the City, USACE, THC, and/or the prime in order to ensure that the environmental compliance product is accurate and current.

Finally, CMEC believes that our senior staff's experience with scoping, budgeting and completing projects throughout Texas is the best tool to promote internal accountability and effectiveness. Having managed environmental compliance projects throughout the state for over 10 years, Mr. Meitzen is especially qualified to receive multiple concurrent spread assignments and manage them skillfully to stay on time and on budget. His work experience is founded upon managing many often overlapping and concurrent levels of document review, from Section 404 permits to NEPA approvals, with consistently positive outcomes.

CMEC staff members have been fortunate to work with many utility, state, and federal clients throughout Texas. CMEC works for many utility, City and County clients in Central Texas (including work for the cities of Georgetown, Leander, San Antonio, Cibolo, San Marcos, and Austin; Hays, Travis, and Bexar Counties; Atmos, Lower Colorado River Authority and Brazos Electric Power Cooperative), and are able to separate issues from non-issues for wise staff resource allocation. Likewise, we are very sensitive to the fact that privately funded projects can be focused on regulatory compliance for a limited number of regulations, as well as risk management for the ultimate client.

We know from experience that some issues can affect project development schedules disproportionate to the reach of the regulation in question. We strive to act accordingly, raising concerns (e.g., known archeological sites, potential endangered species habitats) early in the process. We know how to work closely with engineers to span or avoid impacts to jurisdictional waters that would require a lengthy coordination and permitting phase. We know that the City's expectations are very high for timeliness, cost-effectiveness, leadership, problem-solving, high quality writing and analysis – in short, effective and efficient environmental compliance documentation. On-time and on-budget—you want a best value provider. That is the specialty and the commitment of the CMEC team.

8. TEAM QUALIFICATIONS AND EXPERIENCE

Walt Meitzen – Project Manager



Mr. Meitzen began his career in natural resource management in 1998 and has professional experience in construction operations, regulatory oversight, and environmental consulting gained through positions with non-profits, government agencies, and private-sector businesses. His natural resource management experience includes working on karst and songbird habitat assessments/enhancements and species surveys in central Texas. He has also provided resource management and regulatory oversight in terrestrial and aquatic environments. He has construction experience including environmental compliance management during construction. More recently, he has provided environmental consultation for a variety of development projects with a focus on public infrastructure and linear projects.

Mr. Meitzen's multi-faceted professional experience gives him a rich understanding of project development and an appreciation for the interface of ensuring regulatory compliance while protecting a project's timeline and budget. Mr. Meitzen routinely coordinates with other environmental specialists, engineers, and regulatory agency staff to develop efficient project development strategies.

Mr. Meitzen has managed environmental reviews for projects with a variety of funding sources and within varied regulatory frameworks. These reviews include Texas Water Development Board reviewed projects with Clean Water State Revolving Funding, flood hazard mitigation projects with Natural Resource Conservation Service Emergency Watershed Protection Program funding, and flood mitigation projects using Department of Housing and Urban Development Community Development block Grant – Disaster Relief funds. Mr. Meitzen routinely oversees environmental reviews for linear transportation and water/wastewater projects with local and federal funding. He understands the regulatory commitments that accompany each project type, is skilled at avoiding impacts to protected resources, and is adept at securing the permits, when necessary.

Brian Cowan, P.G. – Deputy Project Manager



Mr. Cowan is CMEC's Hazardous Materials Program Lead and has managed Phase I and Phase II Environmental Site Assessments for public and private clients across Texas. He is also a Hydrogeologist and Professional Geoscientist who holds a USFWS Permit (TE85077A-1) to collect and study federally listed karst invertebrates and aquifer-dependent aquatic species in central Texas. He has managed karst-related projects for clients in multiple sectors, including transportation, oil and gas, city and state governments, Department of Defense, Department of the Interior, non-profits, and private companies. He is an experienced Program Manager and is adept in conducting and managing geological and biological investigations, securing

local state and federal environmental permits, and implementing environmental compliance monitoring and conservation measures for large-scale transportation and infrastructure projects.

Mr. Cowan's project experience includes dye tracing, cave and karst feature subsurface drainage basin delineation, groundwater technical evaluation for NEPA and USFWS processes, coordination with and permitting through USFWS, and USACE, Geological Assessments, habitat and presence/absence determinations for federally listed karst invertebrates, monitoring surface water and groundwater quality,

and groundwater geochemistry. He is a certified SCUBA diver and has completed hundreds of scientific dives and holds multiple certifications from the Professional Association of Diving Instructors.

Mr. Cowan has also prepared numerous Geological Assessments and Void Discovery Notifications for compliance with the Edwards Aquifer Rules that were accepted by the TCEQ. He also worked with TCEQ, project engineers and the client to permit a project to construct an access tunnel from the surface to intersect a large commercial cave, which fell outside of allowable actions according to the Edwards Aquifer Rules. He worked with project engineers and owners to implement designs and best management practices to minimize impacts to Edwards Aquifer water quality and prepared and submitted an Edwards Aquifer Recharge and Contributing Zone Exception Request which was approved and authorized the construction of the tunnel. He assisted the client and project engineers with analysis of a proposed surface development to ensure compliance with TCEQ regulations and to minimize impacts to the cave. He inspected the tunnel during construction and prepared monthly reports to TCEQ detailing tunneling progress and any karst features encountered during tunneling.

Jeff Allen, Professional Wetland Scientist – Wetland Ecologist and Clean Water Act Section 404 Permitting Specialist



Mr. Allen is relied on for field data collection, site reconnaissance and mapping, document reviews for legal sufficiency/regulatory compliance, and completion of ecological and wetland projects and reports produced by the company. He prepares Section 404 permits and provides wetland delineation and consulting services for state agencies, local governments and private clients throughout Texas. He is responsible for conducting regulatory compliance activities on CMEC projects related to wetlands and endangered species, including ecological fieldwork, regulatory consultations, Section 404 permit preparation/submittal and mitigation planning/monitoring. His past experience in managing field data collection on multiple projects with overlapping deadlines will be put to use in ensuring that multiple work authorizations under this contract are completed in a timely and cost-effective manner.

Meghan P. Lind - Lead Terrestrial Ecologist and Endangered Species Act Specialist



Ms. Lind is an environmental specialist experienced in managing NEPA documentation in compliance with state and federal agency guidelines. She has worked on a wide variety of projects across Texas, including transportation, park trails and roads, railroads, airport development, private construction, and transmission line infrastructure. Technical areas of expertise include Habitat Assessments, Endangered Species Act Section 7 consultation, Texas Parks and Wildlife Coordination, Presence/Absence Surveys for federal and state listed species, and Technical Report Writing. She is experienced in preparing CEs, EAs, and EISs that comply with state and federal agency guidelines, routing studies and Certificates of Convenience and Necessity (CCNs), as well as consultation documents (Biological Evaluations, Biological Assessments, HCP participation applications) for coordination with NMFS and USFWS. Ms. Lind offers additional expertise as an ecologist and has a diverse background in both aquatic and terrestrial habitats. She has several years of experience in small mammal trapping, threatened and endangered species habitat surveys, freshwater mussel surveys and relocation, habitat restoration, bat acoustic monitoring, and endangered species surveys in post-fire environments. Ms. Lind is permitted to conduct presence/absence surveys for the Golden-cheeked warbler, Black-capped vireo, Red-cockaded woodpecker, and Western Yellow-billed cuckoo.

Madeline Cole—GIS Coordinator

Madeline Cole serves as the GIS Coordinator at Cox|McLain Environmental Consulting Inc. She has over 5 years of experience creating GIS graphics for permitting, wildlife, leasing, federal lands, and environmental data on a number of large and small scale projects mainly pertaining to the Oil and Gas Industry. Madeline has experience in both technical and managerial roles for Geographic Information Systems and Databases. She has experience using ESRI ArcGIS, Geocortex, and Visio to create cartographic products and analytical results for use in presentations and planning sessions. She has conducted data gathering, conversion, analysis and processing of spatial data on numerous projects including oil and gas well sites, pipelines, utilities, renewable energies, archeological surveys, wetland delineations, wildlife habitat assessments, land use and vegetation delineations, and environmental due diligence. Madeline has developed and maintained large scale databases of lands managed by the Bureau of Indian Affairs and Bureau of Land Management for the majority of the state of Oklahoma, as well as federal lands databases for New Mexico, Wyoming, Texas, and Louisiana. Madeline has worked extensively with Bureau of Indian Affairs and Bureau of Land Management documents for accurate project reporting and analysis. Madeline has developed, implemented, and monitored data quality assurance and quality control plans, standards, and evaluation criteria. She has also developed, implemented, and managed a web-based mapping application combining state and federal lands, water resources, wildlife resources, and a variety of other layers for use in the project planning and siting stages of projects.

Jesus Mares – Hazardous Materials Specialist

Mr. Mares is an environmental professional with experience in Phase I and Phase II Environmental Site Assessments. He routinely conducts records research and site investigations in support of all-due-diligence reports. Mr. Mares brings a professional background in law to his research and understanding of the implications of land transactions where potential contamination is an issue.

In addition to the key task leads introduced above, the table below summarizes the additional depth of staff available to the City of Gonzales and likely to be assigned work under this contract

Staff Member	Title	Education	Experience/Expertise
Claire Parra	Ecologist	B.S. Biology (2010) and M.S. Wildlife Ecology (2012) Texas State University	Associate Wildlife Biologist, Golden-cheeked Warbler field surveys, Section 404 Permitting
Caroline Marlette	Environmental Specialist	B.S. Geography – Resource and Environmental Studies (2018) Texas State University	Natural resource management, environmental planning, GIS analysis
Austin Blase	Ecologist	B.S. Environmental Science (Marine & Coastal Resources) (2006) Texas	Wetland delineation, mussel survey, MBTA nest surveys, hazardous materials assessments

		A&M University Corpus Christi	
Debbie Hoekel	Ecologist/Public Involvement Specialist	M.S. Biology (2014) Texas A&M University Corpus Christi; B.S. Biology (2007) Southeast Missouri State University	State and Federal agency coordination, NEPA document preparation, Section 404 permitting
Sara Laurence	GIS Analyst	MA-Archeology Texas A&M	Experienced GIS analyst
Corey Pursell	Ecologist	M.W.S. wildlife Sciences (2010) and B.S. Wildlife & Fisheries Sciences (2016) Texas A&M University	Ornithology, invasive aquatic organisms, habitat assessments
Clint Wardlow	Ecologist	B.S. Natural Resource Ecology & Management (Forestry) (2016) Oklahoma State University	ISA Certified Arborist, environmental assessments and permitting
Garrett Weiberg	Ecologist	MS—Texas Tech—Wildlife and Fisheries	Fisheries-focused analysis; 404 support
David Sandrock	Archeologist	BA, Anthropology, Humboldt State University. Arcata, CA, 2011	Field investigations, historical research, artifact analysis, curation

9. ABILITY TO CARRY OUT SOW REQUESTED WITHIN THE PROPOSED TIMELINE

CMEC maintains field equipment at each office location that includes tools, GPS units, and vehicles that are at the disposal of our resource specialists. CMEC has developed in-house technological tools and has invested in proprietary software that speeds data collection and collation from field efforts. CMEC's staff of GIS analysts, cartographers, and IT support personnel provide support to field personnel and post-processing of field data. They have implemented a company-wide task management strategy that clearly and effectively assigns tasks to available analysts to ensure that work flows seamlessly and no task is overlooked.

As mentioned above, CMEC staff routinely collaborates between offices. Our staffing assignments are intended to provide efficient responsive services, and the Houston and Austin offices are most the likely sources for project staff. However; if a time constraint arises that demands fast action, CMEC will not hesitate to call in additional support from more distant offices all while protecting project budgets.

10. PRICING

PROPOSED PRICING

Respondents must submit specifications with Proposal submittal.

In compliance with this RFP and to all the conditions imposed herein, the above-signed agrees to provide and deliver the specified Services to the City of Gonzales in accordance with the specifications attached herein at the following prices:

Service/Job Descriptions	Direct Rate	Overhead Rate	Total Rate
Principal/Sr. Project Manager (20+ years experience)	\$57.00	\$85.50	\$159.60
Sr. Environmental Scientist II (supervisory staff/10+ years experience)	\$51.00	\$76.50	\$142.80
Sr. Environmental Scientist I (senior staff—7+ years experience)	\$44.00	\$66.00	\$123.20
Env'l Professional II (senior subject matter expert—PWS/PI/historic/PG; 5+ years)	\$40.00	\$60.00	\$112.00
Env'l Professional I (subject matter expert—PWS/PI/historic)	\$35.00	\$52.50	\$98.00
Env'l Staff III (envl. Staff 5+ years)	\$30.00	\$45.00	\$84.00
Env'l Staff II (envl. Staff 3-5 years)	\$27.00	\$40.50	\$75.60
Env'l Staff I (envl. Staff 0-3 years)	\$24.00	\$36.00	\$67.20
Env'l Tech II (field tech 3+ years experience)	\$20.00	\$30.00	\$56.00
Env'l Tech I (field tech 1-3 years experience)	\$18.50	\$27.75	\$51.80
Admin/Clerical	\$18.00	\$27.00	\$50.40

*Note: Total rate includes a 12% profit.

Additional Costs: (Itemized with pricing):

Direct Costs

Item	Cost	Unit
Airfare (at cost)	\$450.00	Roundtrip
Rental Vehicle (at cost)	\$85.00	Day
Mileage (IRS rate)	\$0.575	Per Mile
Hotel (at cost)	GSA Rate	Day
Per Diem/M&IE	GSA Rate	Day
Federal Express (at cost)	\$17.50	Letter Envelope
Reproduction	\$0.15	Page (B/W)
Color	\$1.50	Page
Maps/E-size plots	\$7.50	Each
Specialty subconsultants--(at cost)	varies	

REQUIRED FORMS

Certificate of Insurance

System for Awards Management

Form CIQ

Certification regarding Lobbying

Form 1295 (pending award)

Required Contract Provisions



COXMENV-01

JHILL

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/29/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Texas Associates Insurors 1120 Capital of TX Hwy South Bldg 3-300 Austin, TX 78746	CONTACT NAME: PHONE (A/C, No, Ext): (512) 328-7676		FAX (A/C, No): (512) 327-8337
	E-MAIL ADDRESS:		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Tokio Marine Specialty Insurance Company		23850
	INSURER B : Sentinel Insurance Company, Ltd		11000
	INSURER C : Hartford Financial Services Group, Inc.		00914
INSURED Cox McLain Environmental Consulting, Inc. 8401 Shoal Creek Blvd, Ste 100 Austin, TX 78757	INSURER D : Twin City Fire Insurance Company		29459
	INSURER E :		
	INSURER F :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			PPK2017157	8/17/2019	8/17/2020	EACH OCCURRENCE \$ 2,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input checked="" type="checkbox"/> EPL						MED EXP (Any one person) \$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 2,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> OTHER: Property Ded - \$2,500						PRODUCTS - COMP/OP AGG \$ 2,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY			65UECJD1293	8/17/2019	8/17/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			PUB687453	8/17/2019	8/17/2020	EACH OCCURRENCE \$ 5,000,000
	<input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 5,000,000
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0						
C	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			65WBCAF9021	8/17/2019	8/17/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Professional Liab			PPK2017157	8/17/2019	8/17/2020	Each Claim 2,000,000
D	Valuable Papers			65SBAIO9608	8/17/2019	8/17/2020	Maximum limit 350,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Gonzales, Texas PO Box 547 820 St. Joseph Street Gonzales, TX 78629	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

SAM Search Results
List of records matching your search for :

Functional Area: Entity Management
Record Status: Active
Entity Name: Cox|McLain Environmental Consulting
Business Type: Business or Organization

ENTITY	Cox McLain Environmental Consulting, Inc.	Status: Active
DUNS: 808233410	+4:	CAGE Code: 4XJG6 DoDAAC:
Expiration Date: 07/06/2021	Has Active Exclusion?: No	Debt Subject to Offset?: No
Address: 8401 SHOAL CREEK BLVD STE 100		
City: Austin	State/Province: TEXAS	
ZIP Code: 78757-7526	Country: UNITED STATES	

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CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

N/A

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐

Yes

☐

No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐

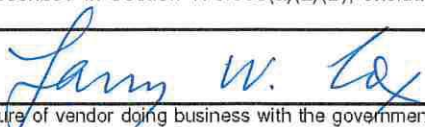
Yes

☐

No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity

August 4, 2020

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, Cox|McLain Environmental Consulting, Inc., certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.



Signature of Contractor's Authorized Official

Larry W. Cox, Principal

Printed Name and Title of Contractor's Authorized Official

August 4, 2020

Date

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Type of Federal Action: _____ a. contract _____ b. grant _____ c. cooperative agreement _____ d. loan _____ e. loan guarantee _____ f. loan insurance	Status of Federal Action: _____ a. bid/offer/application _____ b. initial award _____ c. post-award	Report Type: _____ a. initial filing _____ b. material change
Name and Address of Reporting Entity: _____ Prime _____ Subawardee Tier _____, if Known:		If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:
Congressional District, if known:		Congressional District, if known:
Federal Department/Agency:		7. Federal Program Name/Description: CFDA Number, if applicable: _____
Federal Action Number, if known:		9. Award Amount, if known: \$ _____
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):		b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

(To be completed by awarded vendor)

CERTIFICATE OF INTERESTED PARTIES		FORM 1295	
Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.		OFFICE USE ONLY	
1 Name of business entity filing form, and the city, state and country of the business entity's place of business.		<div style="font-size: 2em; transform: rotate(-45deg); opacity: 0.3;"> Must file online at www.ethics.state.tx.us/File </div>	
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.			
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.			
4			
Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary
5 Check only if there is NO Interested Party. <input type="checkbox"/>			
6 UNSWORN DECLARATION			
My name is _____, and my date of birth is _____.			
My address _____, _____, _____, _____, _____. <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> (street) (city) (state) (zip code) (country) </div>			
I declare under penalty of perjury that the foregoing is true and correct.			
Executed in _____ County, State of _____, on the _____ day of _____, 20____. <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> (month) (year) </div>			
_____ Signature of authorized agent of contracting business entity (Declarant)			
ADD ADDITIONAL PAGES AS NECESSARY			

REQUIRED CONTRACT PROVISIONS

2 CFR 200.326 Contract provisions. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

All Contracts

THRESHOLD	PROVISION	CITATION
>\$150,000 (Simplified Acquisition Threshold)	Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.	2 CFR 200 APPENDIX II (A)
>\$10,000	All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.	2 CFR 200 APPENDIX II (B)
None	Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.	2 CFR 200 APPENDIX II (F)
None	Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.	2 CFR 200 APPENDIX II (H)
None	Records of non-Federal entities. The U.S. Department of Housing and Urban Development (HUD), Inspectors General, the Comptroller General of the United States, the Texas General Land Office (GLO), and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.	2 CFR 200.336
None	Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:	2 CFR 200.333

	<p>(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.</p> <p>(b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.</p> <p>(c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.</p> <p>(d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.</p> <p>(e) Records for program income transactions after the period of performance. In some cases, recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.</p> <p>(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).</p> <p>(1) If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.</p> <p>(2) If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.</p>	
None	<p>Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.</p> <p>(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.</p> <p>(b) Affirmative steps must include:</p> <p>(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;</p> <p>(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;</p> <p>(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;</p>	2 CFR 200.321

	<p>(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;</p> <p>(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and</p> <p>(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.</p>	
None	<p>Verification No Boycott Israel. As required by Chapter 2270, Government Code, CONTRACTOR hereby verifies that it does not boycott Israel and will not boycott Israel through the term of this Agreement. For purposes of this verification, "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.</p>	<p>Texas Government Code 2270.002</p>
None	<p>Foreign Terrorist Organizations. Pursuant to Chapter 2252, Texas Government Code, [Company] represents and certifies that, at the time of execution of this Agreement neither [Company], nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code, or Subchapter F of Chapter 2252 of the Texas Government Code, or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term "foreign terrorist organization" in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.</p>	<p>Texas Government Code 2252.152</p>
Option Contract Language for contracts awarded prior to Grant Award	<p>The contract award is contingent upon the receipt of CDBG-MIT funds. If no such funds are awarded, the contract shall terminate.</p>	<p>Optional</p>

EO Clause for Construction Contracts > \$10K including administration & engineering contracts associated with construction contracts

THRESHOLD	PROVISION	CITATION
>\$10,000	<p>Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60–1.3 must include the equal opportunity clause provided under 41 CFR 60–1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964–1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”</p> <p>41 CFR 60-1.4 Equal opportunity clause.</p> <p>(b) Federally assisted construction contracts. (1) Except as otherwise provided, each administering agency shall require the inclusion of the following language as a condition of any grant, contract, loan, insurance, or guarantee involving federally assisted construction which is not exempt from the requirements of the equal opportunity clause:</p> <p>The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:</p> <p>During the performance of this contract, the contractor agrees as follows:</p> <p>(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:</p> <p>Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.</p> <p>(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.</p> <p>(3) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to</p>	<p>41 CFR §60-1.4(b) and 2 CFR 200 APPENDIX II (C)</p>

	<p>individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.</p> <p>(4) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.</p> <p>(5) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.</p> <p>(6) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.</p> <p>(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.</p> <p>(8) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:</p> <p>Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.</p> <p>The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.</p> <p>The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules,</p>	
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	<p>regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.</p> <p>The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.</p> <p>(c) Subcontracts. Each nonexempt prime contractor or subcontractor shall include the equal opportunity clause in each of its nonexempt subcontracts.</p> <p>(d) Inclusion of the equal opportunity clause by reference. The equal opportunity clause may be included by reference in all Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes, and such other contracts and subcontracts as the Director of OFCCP may designate.</p> <p>(e) Incorporation by operation of the order. By operation of the order, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by the order and the regulations in this part to include such a clause whether or not it is physically incorporated in such contracts and whether or not the contract between the agency and the contractor is written.</p> <p>(f) Adaptation of language. Such necessary changes in language may be made in the equal opportunity clause as shall be appropriate to identify properly the parties and their undertakings.</p> <p>[80 FR 54975, Sept. 11, 2015]</p>	
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THRESHOLD	PROVISION	CITATION
>\$2,000	<p><i>Compliance with the Davis-Bacon Act (40 U.S.C. 3141 et seq.) as supplemented by Department of Labor regulations (29 CFR part 5) and with the Copeland “Anti-Kickback” Act (18 U.S.C. 874; 40 U.S.C. 3145) as supplemented in Department of Labor regulations (29 CFR part 3):</i></p> <p>Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.</p>	2 CFR 200 APPENDIX II (D)
>\$100,000	<p>Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.</p>	2 CFR 200 APPENDIX II (E)
>\$150,000	<p>Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).</p>	2 CFR 200 APPENDIX II (G)
>\$100,000	<p>Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or</p>	2 CFR 200 APPENDIX II (I) and 24 CFR §570.303

	<p>employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.</p>	
>\$100,000	<p>All Section 3 covered contracts shall include the following clause (referred to as the Section 3 clause):</p> <p>A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.</p> <p>B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.</p> <p>C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.</p> <p>D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.</p> <p>E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.</p> <p>F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.</p> <p>G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i)</p>	24 CFR §135.38

	<p>preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).</p>	
	<p>A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.</p> <p>[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]</p>	<p>2 CFR 200 APPENDIX II (J)</p>
	<p>Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.</p>	<p>42 U.S.C. 6201</p>

RESUMES

WALT MEITZEN

Environmental Scientist/Project Manager



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QUALIFICATIONS

Mr. Meitzen is an environmental scientist and environmental project manager with over 20 years of professional experience that includes state regulatory programs, construction operations, and seven years of environmental consulting. He has recent experience with HUD funded CDBG-DR projects related to flood risk reduction with the City of San Marcos serving the role of Responsible Entity (RE). Each of these projects has required Environmental Assessment (EA) level analysis for the Environmental Review Record (ERR). He has completed one project through to Release of Funds and is currently managing multiple others. He is registered and familiar with the HUD Environmental Review Online System (HEROS). He has prepared ERR documentation for submittal by the RE and he has submitted documentation as the RE's Partner. He has a thorough understanding of the HUD review process including the sequential notifications and coordination efforts that are expected.

Mr. Meitzen has been project manager/ environmental task lead on three CDBG-DR projects that required coordination with the USACE. He successfully led field investigations and document preparation to support a Pre-Construction Notification (PCN) for Nationwide Permit 7, Outfall Structures and Associated Intake Structures (NWP 7). He is currently coordinating with USACE for other CDBG-DR projects; one includes an Approved Jurisdictional Determination and another includes potential impacts to threatened and endangered species. Both are anticipated to require NWP 7 PCNs and he has facilitated project-team discussions with USACE staff through Pre-Application Meetings.

Each HUD-funded project required a preliminary analysis of environmental constraints and project alternatives. Mr. Meitzen collaborated with other environmental resource specialists and GIS analysts to produce environmental constraints maps and summaries of the potential regulatory compliance commitments associated with each. These desk-top investigations were conducted in the first phase of environmental studies and they assisted in the decision making process and informed the decisions on final project design. Full impact assessment, agency coordination, and environmental clearance were carried out in later phases of project development.

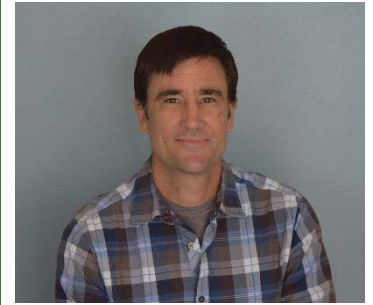
While he is capable of handling complex regulatory coordination efforts, he is also adept at identifying avoidance strategies that can streamline the agency coordination process while still maintaining compliance. He is currently supporting scoping efforts for a stormwater retrofit and detention project that will be developed on an abbreviated timeline. Funding for the project is uncertain, but will likely involve the Clean Water State Revolving Fund administered by the Texas Water Development Board or HUD funds through the CDBG-DR program, each of which would require NEPA-compliant EA-level analysis and reporting. Mr. Meitzen has developed a strategy to advance environmental studies and agency coordination efforts that are common to both funding sources so that documentation can be quickly completed and tailored to agency expectations once the funding source is identified.

A large part of Mr. Meitzen's success in managing complex environmental projects with detailed agency documentation expectations is the skilled team of resource specialists that are available through Cox|McLain Environmental Consulting (CMC). Staff at various offices can mobilize to support field investigations, site-specific research, and the all important document quality assurance/quality control process. CMC has USFWS-permitted wildlife biologists; certified wetland delineators; archeological and historic resource specialists; and socioeconomic experts with extensive experience in completing regulatory coordination and documentation. As environmental task lead, Mr. Meitzen will be able to apply his knowledge of project delivery and the strength of the CMC team to successful compliance and environmental clearance.

Mr. Meitzen has overseen the preparation of environmental clearance documents and permit applications for water, wastewater, transportation, and flood mitigation projects; and he is familiar with the regulatory implications of each. He has produced NEPA-compliant documents for review by TxDOT, HUD, TWDB, FEMA, and USFWS. He has dealt with federal funding programs including the State Clean Water Revolving Fund and various hazard mitigation funds. He has assessed infrastructure projects where regulatory coordination and impact avoidance, minimization, and/or mitigation were paramount. Endangered Species Act, The Clean Water Act, the Edwards Aquifer Rules and Habitat Conservation Plans are common regulatory frameworks that influence the projects he works on. His ability to collect and interpret field data combine with his knowledge of environmental regulations to allow for the creation of accurate and administratively complete compliance documents.

Relevant Experience

City of San Marcos CDBG-DR Funded, Umland Road Flood Improvements/Road Reconstruction, Hays County, TX—Mr. Meitzen was the environmental project manager for this Environmental Assessment (EA) equivalent, NEPA-compliant environmental review. With consent of the engineering client, he coordinated with staff from the City of San Marcos (Responsible Entity – RE), HUD, USACE, and TPWD to ensure regulatory



Education

Master of Earth & Environmental Resource Management, University of South Carolina, Columbia, SC, 2011
B.S. Biology, University of Texas at Austin, 2001

TxDOT Precertifications

Sequence #24009
2.3.1 Wetland Delineation
2.3.2 Conditional/Functional Assessment
2.4.1 Nationwide Permit
2.5.1 Geological Assessment for Edwards Aquifer Recharge Zone
2.6.2 Impact Evaluation Assessments
2.13.1 Hazardous Materials Initial Site Assessment
11.4.1 Environmental Inspections

Professional Activities and Continuing Education

TxDOT, Stormwater Erosion and Sedimentation Control ENV300 UT Arlington, October 2013
TxDOT Stormwater Pollution Prevention Plan Training. ENV103, October 2013
Balcones Canyonlands Conservation Plan Infrastructure Working Group Workshop, BCCP, Austin, TX, 2013
Certified Wetland Delineator, Wetlands Training Institute, 2014
OSHA 10-hr Construction Site Training

WALT MEITZEN Environmental Scientist



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compliance and document sufficiency. The project included historical surveys, archeological background study (no survey), waters of the U.S. delineation, Nationwide Permit 07 with Pre-construction Notification, and a Sand and Gravel permit through TPWD. Mr. Meitzen directed the preparation of floodplain notifications per HUD's 8-Step Process for distribution by the RE and assisted in drafting the notice of Finding of No Significant Impact and Request for Release of Funds. Mr. Meitzen directed the preparation of environmental resource documentation for submittal by the RE into the HEROS. The FONSI and RROF were approved November 19, 2019.

RE Contact: Kirk Abbott, P.E. | City of San Marcos Engineering Department | 512-393-8149

Client contact: Juan Sierra, P.E. | Freese and Nichols, Inc. | 512-617-3100

City of San Marcos CDBG-DR Funded, Midtown Drainage Improvements, Hays County, TX—Mr. Meitzen is managing the environmental review per current HUD standards for EA equivalent NEPA-compliant environmental review document. During the first phase, he completed initial scoping efforts to assess alternatives and determine whether EA or Categorical Exclusion (CE) documentation was appropriate. He has coordinated and facilitated a Pre-Application Meeting with USACE staff and is overseeing field investigations and document preparation for an Approved Jurisdictional Determination in support of an NWP 07 with PCN. The project includes modifications to existing drainages and culverts, installation of underground stormwater infrastructure, and improvements to existing outfalls. Project strategy includes early coordination with the USACE and THC to develop impact avoidance measures and minimize permitting and mitigation obligations. Documentation will be completed with CMEC serving as the Partner User in HEROS. Project dates: July 2019 to Present.

RE Contact: Jacquelyn Thomas, P.E. | Senior Engineer | City of San Marcos Engineering Department | 512-393-8145

Client contact: Claire Ramirez, P.E., Tom Owens, P.E. | K. Friese & Associates, Inc. | 210-491-2391

City of San Marcos CDBG-DR Funded, Blanco Gardens Flood Improvements, Hays County, TX—Mr. Meitzen is managing the environmental review per current HUD standards for EA equivalent NEPA-compliant environmental compliance document. He coordinated with CMEC resource specialists to develop an alternatives analysis that was provided to the City during Phase 1 of the environmental services. Has conducted preliminary coordination with USFWS and TPWD staff to develop impact avoidance measures for endangered species habitat and state stream resources adjacent to the project area. The project will include installation of additional underground stormwater infrastructure, a new outfall to the San Marcos River, and the construction of a large diversion canal. Endangered Species Critical Habitat has been established in the San Marcos River at the location of the propose outfall, and Mr. Meitzen is preparing documentation to support a *May Affect, Not Likely to Adversely Affect* determination for protected species and their habitats. Project strategy includes continual coordination with the USFWS, TPWD, and THC to manage agency coordination and the related potential impact to project timeline and budget. Documentation will be completed with CMEC serving as the Partner User in HEROS. Project dates.

RE Contact: Jacquelyn Thomas, P.E. | Senior Engineer | City of San Marcos Engineering Department | 512-393-8145

Client contact: Eric Scheibe, P.E. | Schiebe Consulting | 512-263-0418

City of Victoria Guadalupe River Bank Stabilization, Victoria County, TX—Mr. Meitzen was environmental task lead and project manager for this bank stabilization project on the Guadalupe River in response to damages to water-wastewater infrastructure resulting from Hurricane Harvey. The project received funding through the USDA/NRCS Emergency Watershed Protection Program. Mr. Meitzen conducted waters of the U.S. field delineation and prepared a delineation report for submittal to the USACE Galveston District. The project received authorization through Nationwide Permit 37, Emergency Watershed Protection and Rehabilitation. Project authorization received from USACE in December 2019.

Client contact: Tom Hegemier, P.E. | Doucet and Associates | 512-583-2635

City of San Marcos Water Reuse Expansion Project, Hays County, TX—Mr. Meitzen was task lead and environmental project manager for this reused water infrastructure project funded by Clean Water State Revolving Funds. Mr. Meitzen prepared an EA-equivalent Environmental Information Document per Texas Water Development Board standards and facilitated agency and public notification requirements. He conducted / coordinated ecological, cultural, and socioeconomic resource analysis and field investigations for habitat, water resources, and hazardous materials. He met USACE staff on site for a review of the project and to describe the avoidance measures that had been developed to minimize waters of the U.S. impacts and to protect cultural resources, endangered species, and nearby critical habitat units. FONSI received May 2016. In response to unexpected project developments, Mr. Meitzen prepared an information package related to an elevated water-storage tank that supported clearing the additional work as a CE. CE clearance was granted November 2016.

Client contact: Stephen Jenkins | RPS | 214-951-0807

Hays County Lime Kiln Road Improvements Project, Hays County, TX—Mr. Meitzen was task lead and environmental project manager for this locally funded road improvement project. The project included replacing an existing culvert at the San Marcos River with a bridge and increasing the size of an existing culvert on Sink Creek. He conducted waters of the U.S. delineation and USACE coordination for potential impacts to threatened and endangered species in adjacent habitat units. He provided species account and project description information as part of a Pre-Construction Notification to the USACE to be used in inter-agency coordination with USFWS. Findings of "May Affect, Not Likely to Adversely Affect" for several protected species were reviewed and approved by USFWS. USACE authorized construction in May 2019.

Client contact: Pete Ring, P.E. | K. Friese & Associates, Inc. | 512-338-1704

City of Austin San Antonio Street Reclaimed Water Main Project – COA Environmental Assessment, Austin, Travis County, TX—Mr. Meitzen was task lead for field investigations, research, and the preparation of a City of Austin Environmental Assessment document related to the installation of reclaimed water distribution lines in the urban core of Austin. January 2015.

Client contact: Keith Moody | City of Austin/RPS Group | 512-632-3452



EXPERTISE

Mr. Cowan is a Hydrogeologist, Professional Geoscientist, and Certified Divemaster. He has managed numerous compliance projects including Section 7 of the Endangered Species Act, Section 404 of the Clean Water Act, the Texas Commission on Environmental Quality Edwards Aquifer Rules, the Texas Parks and Wildlife Department Rare, Threatened, and Endangered Species, and the Bureau of Land Management Oil and Gas infrastructure permitting. He has managed projects for clients in multiple sectors, including transportation, oil and gas, city and state governments, Department of Defense, Department of the Interior, non-profits, and private companies. He is adept in conducting and managing geological and biological investigations and implementing environmental compliance monitoring and conservation measures for large-scale transportation projects. Mr. Cowan's project experience includes dye tracing, cave subsurface drainage basin delineation, groundwater technical evaluation for NEPA and USFWS processes, coordination with and permitting through USFWS, and USACE, Geological Assessments, presence/absence determination and relocation/monitoring of state-listed freshwater mussel species, karst feature surveys and karst invertebrate habitat assessment and presence/absence determination, and monitoring surface water and groundwater quality, and groundwater geochemistry. He is an adept SCUBA diver having completed hundreds of scientific dives and holding multiple certifications from the Professional Association of Diving Instructors.

SELECTED PROJECTS

Villas on Travis Spring and Seep Monitoring Plan Compliance, Austin, Travis County, TX—Project Manager, Geologist. Monitored of springs, seeps, and wastewater infrastructure for the Villas on Travis Condominium Owners Association to maintain compliance with a Spring and Seep Monitoring Plan as required by the Texas Commission on Environmental Quality as part of the permit requirements for operating an onsite wastewater treatment facility (WWTF). Tasks include a quarterly visual inspection of the WWTF, landscaped areas that are irrigated with treated effluent, and areas downgradient of the irrigation areas and WWTF. The purpose of the inspection is to identify any pathways by which effluent could potentially enter Lake Travis, which serves as a primary drinking water supply for surrounding communities. Water samples are also collected quarterly from a spring located downgradient of the WWTF and irrigation areas and any seeps actively flowing during inspections. The water samples are collected in compliance with TCEQ requirements and analyzed by a TCEQ approved laboratory for wastewater associated constituents including: complete nitrogen series (N03+N02-N); Total Kjeldahl Nitrogen (TKN); ammonia-NJ; total phosphorus; ortho-phosphate; specific conductance; and chlorides. An annual report is submitted to TCEQ detailing all findings and determining if the sampled springs and seeps are potentially influenced by wastewater from the onsite WWTF. February 2017-December 2019.

Client: Villas on Travis Condominium Owners Association

Cave Atmosphere Monitoring and Karst Studies in Balcones Canyonlands Preserve Caves, Austin, Travis County, TX—Project Manager, Geologist. Conducted a study to better understand how cave air CO₂ fluctuates in three Balcones Canyonlands Preserve (BCP) caves: Ireland Cave, Whirlpool Cave, and Grassy Cove Cave. Whirlpool Cave and Grassy Cove Cave are both utilized as education caves and receive thousands of visitors combined each year. Designed and deployed self-sufficient continuous monitoring stations that autonomously monitor CO₂, wind speed, and direction. Maintained the stations and downloaded data monthly. Data was organized in a database, analyzed, and reported in the form of written reports and presentations given to City of Austin (COA) and BCP staff. The data collected during monitoring will assist BCP and COA staff with sustainable management decisions related to the cave ecosystem and the continued use of the caves for education. Assisted BCP staff with the analysis of cave drip water data and groundwater tracing data. Performed cave drip recession curve fitting in which the response of cave drips to rainfall was determined so that groundwater recharge and groundwater flow through the epikarst could be better understood. October 2016-December 2019.

Client: City of Austin

Geologic Assessments for the Texas Department of Transportation San Antonio District at SL 1604 at Bitters Road and at Huebner Rd (Bexar County, CSJ 2452-02-119) and SL 1604 from Redland Rd to Bulverde Rd (CSJ 2452-03-118), San Antonio, Bexar County, TX—Geologist. Conducted two Geologic Assessments (GA) in support of proposed roadway improvements State Loop 1604 and adjacent roadways located inside the Edwards Aquifer Recharge Zone. The proposed work met the definition of a regulated activity as defined in Title 30 of the Texas Administrative Code (TAC), Chapter 213. The geologic assessment conformed to Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zones as required by the TCEQ Edwards Aquifer Rules (30 TAC 213). October 2016-March 2017.

Client: TxDOT San Antonio District



Education

MS, Geology, The University of Texas at Austin, 2010

BS, Geology, The University of West Georgia, 2006

TxDOT Precertifications

Sequence #20085

2.4.1 Nationwide Permit

2.5.1 Geological Assessment for Edwards Aquifer Recharge Zone

2.6.2 Impact Evaluation Assessments

2.6.4 Biological Evaluations & Assessments

Permits and Certifications

State of Texas Registered Professional Geoscientist (# 11180)

USFWS Permitted for 30 endangered species including Comal Springs invertebrates, San Marcos Springs invertebrates, Bexar County, Travis County, and Williamson County Karst Invertebrates, Oklahoma, Arkansas, and Louisiana Freshwater Mussels

Professional Activities and Continuing Education

Professional Association of Diving Instructors (PADI): Divemaster, Rescue Diver, Deep Diver, Dry Suit Diver, Enriched Air Diver, Emergency Oxygen Provider

OSHA 10 Hour – General Industry Certification. 2016.

CPR Certified, First Aid & AED

Geological Society of America

National Groundwater Association

Austin Geological Society

Central Texas Association of Environmental Professionals



Geologic Assessment for Improvements to the U.S. 83 and Highway 127 Intersection (CSJ: 0036-07-033), Uvalde County, TX—Project Manager, Geologist. Conducted a Geologic Assessment (GA) in support of proposed roadway improvements to the intersection of U.S. 83 and Highway 127 intersection in Concan, Uvalde County, Texas. The proposed work met the definition of a regulated activity as defined in Title 30 of the Texas Administrative Code (TAC), Chapter 213. The geologic assessment conformed to Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zones as required by the TCEQ Edwards Aquifer Rules (30 TAC 213). July 2016.
Client: Cardno for Texas Department of Transportation

Jacobs Well Area Groundwater Tracing Assistance, Wimberly, Hays County, TX—Geologist. Assisted the BS/EACD with logistics in preparation for an injection of dye into Raccoon Cave, locate near Jacobs Well, a major spring and underwater cave that is a significant discharge point from the Trinity Aquifer. Duties included landowner coordination, agency coordination, evaluation of the injection site and preparation of the site for dye injection, and the proper introduction of the dye into the injection site. March-April 2018.
Client: Barton Springs/Edwards Aquifer Conservation District (BS/EACD)

Kali Kate Development, Hays County, TX—Geologist, Document preparation, QA/QC. Buda Materials, LLC is proposing to develop up to 36 acres of the existing 47-acre Kali Kate Thoroughbred Ranch into a residential subdivision. The remaining 11 acres will continue to be used for the existing events center and private residences. Conducted a Geologic Assessment (GA) and a habitat assessment for rare, threatened, or endangered species on the entire 47-acre property. The GA documented 22 features, seven of which are rated as sensitive recharge features. All the sensitive features were located within areas set aside for green space or within the 11 acres that will not be included within the residential subdivision. The GA conformed to Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zones as required by the TCEQ Edwards Aquifer Rules (30 TAC 213). The habitat assessment documented potential habitat for one federally listed endangered species, the Barton Springs Salamander (*Eurycea sosorum*) associated with caves and karst features and existing wells; one federal candidate plant, the bracted twistflower (*Streptanthus bracteata*); two state listed threatened species, the Zone-tailed Hawk (*Buteo albonotatus*), and the Texas Horned Lizard (*Phrynosoma cornutum*); and 22 additional state-tracked Species of Greatest Conservation Need (SGCN). Additional services include mapping recharge potential on the property in support of development requirements for the project with the City of Dripping Springs and the City of Buda. February 2017-December 2019.
Client: Buda Materials, LLC

Assistance with Permitting for a Proposed Access Tunnel into Natural Bridge Caverns and Preparation of Geologic Assessment, Natural Bridge Caverns, Comal County, TX—Project Manager, Geologist. Analyzed potential construction and post-construction impacts caused by tunneling operations into Natural Bridge Caverns from the surface. Advised client on Texas Commission on Environmental Quality (TCEQ) regulations applicable to the project. Interface with TCEQ to determine project requirements as the project scope is outside of the typical projects regulated by the TCEQ. Worked with project engineers and owners to implement designs and best management practices to minimize impacts to Edwards Aquifer water quality. Prepared and submitted an Edwards Aquifer Recharge and Contributing Zone Exception Request (Approve in 2016). Assisted owners and project engineers with analysis of proposed surface development to ensure compliance with TCEQ regulations and to minimize impacts to the caverns. Inspected tunnel during construction and prepared monthly reports to TCEQ detailing tunneling progress and any karst features encountered during tunneling. 2015-2019.
Client: Natural Bridge Caverns, Inc.

Evaluation of a 143-Acre Property in Williamson County, TX—Geologist, Karst Technician. Assisted with an environmental analysis of four parcels owned by the Texas Department of Transportation. The study, which included a Geologic Assessment, karst invertebrate and songbird habitat assessments, presence/absence surveys for karst invertebrates, and a review of previously identified features, was conducted in support of environmental due diligence to identify the presence of karst features or springs that could provide potential habitat for federally listed endangered karst invertebrates of *Eurycea* salamanders. Eleven of the eighteen evaluated features were newly discovered during surveys conducted in the spring of 2017. Two of the features, both identified during previous studies at the property, met criteria outlined by the U.S. Fish and Wildlife Service (USFWS) for potential karst invertebrate habitat. Presence/absence surveys were conducted at these two karst features; however, no listed species were detected. A spring, providing potential *Eurycea* habitat, was discovered, but this feature was determined to be outside of the state-owned property. Approximately 82.5 acres of potential Golden-cheeked Warbler habitat were identified on the property with an additional 27.7 acres identified within 300 feet of the property. The Geologic Assessment conformed to Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zones as required by the TCEQ Edwards Aquifer Rules (30 TAC 213). The karst feature survey was performed in accordance with USFWS Section 10(a)(1)(A) Scientific Permit Requirements for Conducting Presence/Absence Surveys for Endangered Karst Invertebrates in Central Texas. January-May 2017.
Client: Texas Department of Transportation

Geologic Assessment for the San Antonio Water System (SAWS) Facility 63 Aboveground Storage Tank, San Antonio, Bexar County, TX—Geologist. Conducted a Geologic Assessment (GA) in support of an aboveground storage tank plan for the 3.8 acre facility located inside the Edwards Aquifer Recharge Zone on 20 October 2016. The GA documented one well and three surface features, one of which was rated as sensitive. The geologic assessment conformed to Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zones as required by the TCEQ Edwards Aquifer Rules (30 TAC 213). October 2016-March 2017.
Client: Arcadis U.S., Inc. for the San Antonio Water System



EXPERTISE

Mr. Allen is a forester and rangeland ecologist with more than twenty-five years of field experience whose education and professional skills are focused on multi-disciplinary environmental projects. Mr. Allen's experience in forestry, range science, and wildlife habitat management contributes to wildlife and vegetation surveys, habitat assessments, and range management studies. His previous work experience includes planning and conducting several baseline vegetation inventories, wildlife population surveys and habitat assessments. Mr. Allen's recent work has included project management, wetland delineation, Clean Water Act Section 404 permitting, wildlife habitat assessment, endangered species presence/absence surveys, and vegetation mapping.

SELECTED PROJECTS

SH 31 from Loop 323 to FM 1639, Smith and Gregg Counties, TX—Project manager and environmental lead on an ongoing TxDOT Tyler District project consisting of widening approximately 20 miles of two-lane rural roadway to a four-lane divided roadway from State Loop 323 to FM 1639 in Smith and Gregg Counties, Texas. Mr. Allen was responsible for coordination of wetland determination, wildlife habitat assessment, community impact, historic resources, archeological resources, and hazardous materials field data collection and preparation of related technical reports. In addition, he attended all public meetings and coordinated preparation of public meeting summary reports. 2018-2020.

Client contact: John Goodwin, P.E. | Lochner | 903-581-7844 | jgoodwin@hwlochner.com

IH 10 from SH 46 to FM 3351, Kendall and Bexar Counties, TX—Project manager for completion of CE documentation for approximately seven miles of roadway improvements from SH 46 to FM 3351 (Ralph Fair Road) in Kendall and Bexar Counties, Texas. The proposed project would add one general-purpose lane and one High Occupancy Vehicle (HOV) lane in each direction. All improvements are proposed within the existing 300-ft ROW. Tasks performed included preparation of a classification memo, preparation of a project description memo, and preparation of the water resources technical report. 2018-2020.

Client contact: Gabriel Villareal, P.E., CFM | HDR | 210-841-2921 | Gabriel.villareal@hdrinc.com

State Loop 88 Segment 3, Lubbock County, TX—Project manager for completion of EA preparation for approximately 12.4 miles of roadway improvements from US 62/82 to US 87 in Lubbock County, Texas. The majority of the improvements were along FM 1585 while a portion was new location; wetland delineation and threatened/endangered species habitat assessment. FONSI received February 27, 2018.

Client contact: Lisa Deitemeyer | Bridgefarmer & Associates, Inc. | 972-231-8800 | Deitemeyer@bridgefarmer.com

IH 10 from SH 46 to Fair Oaks, Kendall and Bexar Counties, TX—Project manager for completion of CE documentation preparation for roadway improvements project in Kendall and Bexar Counties, Texas; performed wetland delineation and threatened/endangered species habitat assessment; attendance at public meeting and preparation of Public Meeting Summary Analysis. 2015-2017.

Client contact: Shane Walters, P.E. | HDR | 972-960-4457 | Shane.Walters@hdrinc.com

IH 10 at Scenic Loop, Kendall County, TX—Project manager for completion of CE documentation preparation for replacement of IH 10 bridge over Scenic Loop in Kendall County, Texas; performed wetland delineation and threatened/endangered species habitat assessment; handled a key ecology challenge due to Cascade Caverns, home of the state threatened Cascade Caverns salamander, being less than two miles from the project area. Concerns were addressed by monitoring geotechnical core samples for the potential presence of voids that could connect to the caverns and identifying construction techniques that reassured TPWD that all available practicable measures to protect sensitive species were being taken; attendance at public meeting and preparation of Public Meeting Summary Analysis. 2015.

Client contact: Shane Walters, P.E. | HDR | 972-960-4457 | Shane.Walters@hdrinc.com

IH 410 at US 90 and SH 151, Bexar County, TX—Project manager for CE documentation preparation for roadway improvements project in Bexar County, Texas; performed wetland delineation and threatened/endangered species habitat assessment; attendance at public meeting and preparation of Public Meeting Summary Analysis. 2014-2015.

Client contact: Brock Miller, P.E. | Rodriguez Transportation Group | 832-220-1508 | BMiller@rtg-texas.com

FM 1126 at Chambers Creek, Navarro County, TX—Project manager for completion of CE documentation preparation, also responsible for wildlife habitat assessment and wetland delineation for bridge replacement project. 2014-2015.

Client contact: Kari Ward, P.E. | Stantec | 214-855-5511 | Kari.Ward@stantec.com



Education

M. Ag. Rangeland Ecology and Mgmt., Texas A&M University, 1994

B.S. Forestry, Stephen F. Austin State University, 1990

TxDOT Precertifications

Sequence #9140

2.3.1 Wetland Delineation

2.3.2 Conditional/Functional Assessment

2.4.1 Nationwide Permit

2.4.2 Clean Water Act Sec. 404 Permits

2.14.1 Environmental Document Preparation

Permits

TPWD Scientific Permit # SPR-0691-409

USFWS Threatened and Endangered Species Permit # TE168185-0

Specialties

- Management of complex projects
- Completed over 100 wetland delineations
- Additional expertise as Section 404 permit preparer

Professional Activities and Continuing Education

Society of Wetland Scientists (SWS)

Professional Wetland Scientist

Certification #2726, SWS

Wetland Training Institute (WTI) –

Basic Wetland Delineation – Feb 2000

Practical Project Development and

Environmental Documentation for

NEPA Compliance – May 2000

WTI – Plant Identification – April 2001

WTI – Wetland Construction and

Restoration – September 2004

USACE 404 Permit Training-Aug 2005

3rd Annual Texas Freshwater Mussel Symposium and Workshop, Aug 2014



US 90 from IH 410 to Loop 1604, Bexar County, TX—Project manager for completion of CE documentation preparation for roadway improvements project in Bexar County, Texas; performed wetland delineation and threatened/endangered species habitat assessment; attendance at public meeting and preparation of Public Meeting Summary Analysis. 2014-2015.
Client contact: Brock Miller, P.E. | Rodriguez Transportation Group | 832-220-1508 | BMiller@rtg-texas.com

FM 1560 from SH 16 to Loop 1604, Bexar County, TX—Project manager for completion of EA preparation for roadway improvements along FM 1560 from SH 16 to Loop 1604 in Bexar County, Texas; wetland delineation and threatened/endangered species habitat assessment; attendance at public meeting and preparation of Public Meeting Summary Analysis. FONSI received July 2, 2015.
Client contact: Brock Miller, P.E. | Rodriguez Transportation Group | 832-220-1508 | BMiller@rtg-texas.com

SH 127 at the Frio River, Uvalde County, TX—Project manager for CE preparation for bridge replacement on SH 127 at the Frio River; wetland delineation and threatened/endangered species habitat assessment for road improvements in Uvalde County, Texas. 2013.
Client contact: Brock Miller, P.E. | Rodriguez Transportation Group | 832-220-1508 | BMiller@rtg-texas.com

IH 10 at Loop 1604, Bexar County, TX—Project manager for CE preparation for lane improvements along IH 10 from Loop 1604 to Huebner Road; wetland delineation and threatened/endangered species habitat assessment for road improvements in Bexar County, Texas. 2009-2010.
Client contact: Scott Bond, P.E. | Rodriguez Transportation Group | 832-220-1508 | sbond@rtg-texas.com

City of Austin-Plains Trail Sidewalk, Travis County, TX—Project manager for CE preparation for construction of a sidewalk along Plains Trail Road from Kramer Lane to South Meadows Drive; wetland delineation and threatened/endangered species habitat assessment in the City of Austin, Travis County, Texas. 2010.
Client contact: Tania Curulla, P.E. | AMEC Geomatrix, Inc. | 512-330-3406 | TCurulla@geomatrix.com

SH 105 at the Brazos River for the TxDOT Bryan District, Washington, Brazos, and Grimes Counties, TX—Responsible for wetland delineation field work along approximately 3.2 miles of new and existing location roadway right-of-way in Washington, Brazos, and Grimes Counties, Texas; preparation of wetland delineation report document; preparation of Individual Permit application submittal; preparation of USACE mitigation plan; coordination with USACE; and coordination with USCG for Section 10 permitting. Delineation accepted August 14, 2013. Section 404 Individual Permit authorization received March 10, 2014.
Client contact: John Moravec | TxDOT Bryan District | 979-778-2165 | John.Moravec@txdot.gov

US 70 Thalia CE, Foard County, TX—Environmental lead for improvement/widening of existing road in Foard County, Texas. Responsible for land use mapping, wetland delineation, vegetation descriptions, wildlife habitat assessment, and for CE documentation for the project. 2014-2015.
Client contact: Robert Carrillo, P.E. | Rodriguez Transportation Group | 512-231-9544 | RCarrillo@rtg-texas.com

North Mays Extension, Williamson County, TX—Project manager and environmental lead for extension of North Mays Street approximately one mile on new location from Paloma Drive to Oakmont Drive in Round Rock, Williamson County, Texas. Responsible for land use mapping, wetland delineation, vegetation descriptions, wildlife habitat assessment, and for writing corresponding sections of the Environmental Technical Memorandum document prepared for the project. 2015-2017.
Client contact: Ken Schrock, P.E. | LJA Engineering | 512-439-4732 | kschrock@ljaengineering.com

Alves Lane Improvements, Comal County, TX—Environmental lead for improvement/widening of existing road in New Braunfels, Comal County, Texas. Responsible for land use mapping, wetland delineation, vegetation descriptions, wildlife habitat assessment, and for writing corresponding sections of the Environmental Technical Memorandum document prepared for the project. 2016.
Client contact: Thomas Turk, P.E. | M&S Engineering | 830-629-2988 | tturk@msengr.com

Proposed Improvements Along CR 200 and CR 300 from the Ward County Line to RR 652, Loving County, TX—Environmental lead on 30-mile, 529-acre project for new-location county roads and improvement/widening of existing roads in Loving County, Texas. Responsible for land use mapping, wetland delineation, vegetation descriptions, wildlife habitat assessment, and for writing corresponding sections of the Environmental Technical Memorandum document prepared for the project. 2013.
Client contact: James Busby, P.E. | Burgess & Niple, Inc./Loving County | 432-689-8909 | james.busby@burgessniple.com

CR 135 at Cottonwood Creek, Fisher County, TX—Environmental lead on project to replace bridge on County Road 135 at Cottonwood Creek in the TxDOT Abilene District in Fisher County, Texas. Responsible for land use mapping, wetland delineation, vegetation descriptions, wildlife habitat assessment, completion of HazMat ISA, and for writing corresponding sections of the Programmatic Categorical Exclusion document prepared for the project. 2012-2013.
Client contact: Jill Seed | TxDOT Environmental Affairs Division | 512-416-2681 | Jill.Seed@txdot.gov

CR 357 at Sweetwater Creek, Fisher County, TX—Environmental lead on project to replace bridge on County Road 357 at Sweetwater Creek in the TxDOT Abilene District in Fisher County, Texas. Responsible for land use mapping, wetland delineation, vegetation descriptions, wildlife habitat assessment, completion of HazMat ISA, and for writing corresponding sections of the Programmatic Categorical Exclusion document prepared for the project. 2012-2013.
Client contact: Jill Seed | TxDOT Environmental Affairs Division | 512-416-2681 | Jill.Seed@txdot.gov

MEGHAN P. LIND
Senior Ecologist/Project Manager



COX | McLAIN
Environmental Consulting

EXPERTISE

Ms. Lind is an environmental specialist experienced in managing NEPA documentation in compliance with state and federal agency guidelines. She has worked on a wide variety of projects across the state of Texas, including transportation, park trails and roads, railroads, airport development, private construction, and transmission line infrastructure. Technical areas of expertise include Habitat Assessments, Section 7 Consultation, Texas Parks and Wildlife Coordination, Presence/Absence Surveys for federal and state listed species, and Technical Report Writing. She is experienced in preparing CEs, EAs, and EISs that comply with state and federal agency guidelines, as well as consultation documents (Biological Evaluations and Biological Assessments) for coordination with NMFS and USFWS. Ms. Lind offers additional expertise as an ecologist and has a diverse background in both aquatic and terrestrial habitats. She has several years of experience in small mammal trapping, T&E habitat surveys, freshwater mussel survey and relocation, habitat restoration, bat acoustic monitoring, and post-fire endangered species surveys. Ms. Lind is permitted to conduct presence/absence surveys for the Golden-cheeked warbler, Black-capped vireo, Red-cockaded woodpecker, and Western Yellow-billed cuckoo.

SELECTED PROJECTS

South Orient Railroad (SORR) Improvements from Alpine to Presidio, Presidio County, TX—TxDOT in coordination with the Federal Rail Authority proposes to improve 53 crossings along a 72-mile stretch of the SORR from Alpine to the international rail bridge over the Rio Grande in Presidio. Once improvements are completed, the SORR will reopen rail transportation from Mexico into the U.S. CMEC was tasked with conducting a field investigation of each bridge structure for rare or protected species and providing photo documentation of each crossing. Ms. Lind completed a habitat assessment for the federally-threatened Western Yellow-billed Cuckoo along the 72-mile project area and prepared a Biological Evaluation for consultation with the USFWS under Section 7 of the Endangered Species Act. Additionally, she coordinated with TPWD regarding known locations of rare birds, plants, and mammals within the project area. Ms. Lind served as the liaison between TxDOT (Rail and ENV), the USFWS, and TPWD to develop conservation strategies designed to minimize impacts to suitable habitat and limit project effects to listed species. 2018.

Winn Road Build Improvements Environmental Assessment for the TxDOT El Paso District, El Paso County, TX—This project, for the TxDOT El Paso District, consisted of widening the existing Winn Road between Pan American Drive and Southside Road plus construction of a new location roadway extension heading west and then north from Southside Road to connect the existing Winn Road to Rio Del Norte Drive. Approximately 7.6 acres of proposed right-of-way would be required for project implementation, including land for roadway construction and the expansion of the detention basin. The proposed project design would alleviate congestion, facilitate movement of cross-border traffic through the Zaragoza Port-of-Entry, and help reduce freight congestion on State Loop 375. Key issues included coordination with the City of El Paso (local government project), Camino Real RMA, and TxDOT in addition to historic irrigation canals, biological resources, air quality coordination with FHWA, EJ outreach and public involvement. Ms. Lind served as a subject matter expert and final QA/QC lead for the preparation of the EA. She also assisted with the vegetation assessment, threatened and endangered species evaluation, and presented the environmental summary at the public hearing, as well as preparing public comment inventories, responded to comments, prepared summary reports for the final hearing. 2016-2018.

Client: TxDOT El Paso District

State Loop 250 CE for the TxDOT Odessa District, Midland County, TX—Ms. Lind assisted with the management and preparation of an open-ended D-list CE for improvements to State Loop 250, sponsored by the TxDOT Odessa District. Documentation included socioeconomic/environmental justice analyses; traffic noise analysis; assessment of impacts to vegetation and threatened and endangered species; cultural resources coordination; hazardous materials initial site assessment; and indirect and cumulative impact analysis. She served as QA/QC manager for the vegetation assessment, threatened and endangered species evaluation, and MAPO documentation. Following NEPA clearance, Ms. Lind prepared the detour plan and figures for coordination with the local community. 2017-2018.

Client: TxDOT Odessa District

US 83 Roadway Improvements Reevaluation Project for the TxDOT Pharr District, Starr and Zapata Counties, TX—TxDOT Pharr District sponsored the proposed project, which included road widening and improvements for approximately 11 miles of roadway located north of Rio Grande City and extending north to the Zapata County Line. Ms. Lind conducted wetland delineation and presence/absence endangered species surveys for four species of federally-listed endangered plants, including: star cactus, Johnston's frankenia, Walker's manioc, and Zapata bladderpod. Field crew lead for Spring and Fall transect surveys as well as responsible for the preparation and QA/QC of technical reports, submitted to the Texas Department of Transportation-Pharr District, to support a Reevaluation for an Environmental Assessment (EA). 2016-2018.



Education

MS, Natural Resources and Environmental Management, University of Hawaii, 2013

BS, Biology, Old Dominion University, 2007

TxDOT Precertifications

Sequence # 3172

2.3.1 Wetland Delineation

2.4.1 Nationwide Permit

2.6.2 Impact Evaluation Assessments

2.6.4 Biological Evaluations/Assessments

Permits

Sub-permittee, USFWS Species Recovery Permit No. TE168185-3

Sub-permittee, TPWD Scientific Research Permit No. SPR-0691-409

TPWD Brown-headed Cowbird Trapping Certification (2016)

Professional Activities and Continuing Education

USFWS Yellow-billed Cuckoo Survey Protocol Training (2016)

OSHA 10 Hour – General Industry Certification (2016)

Bat Conservation & Management Acoustic Workshop (2014)

FHWA CWA Section 10 and USGC Bridge Permit Training (August 2015)

FHWA USFWS Section 7 ESA Training (August 2015)

FHWA CWA Section 404 Training (July 2015)

Wetland Training Institute – Wetland Delineation Training (June 2015)

MEGHAN P. LIND
Senior Ecologist/Project Manager



Client: TxDOT Pharr District

State Loop 195 New Roadway Construction Project for the TxDOT Pharr District, Starr County, TX—Proposed project, sponsored by the TxDOT Pharr District, included construction of approximately 17 miles of new roadway located north of Rio Grande City and extending west towards Roma in Starr County, Texas. Ms. Lind conducted presence/absence endangered species surveys for four species of federally-listed endangered plants, including: star cactus, Johnston's frankenia, Walker's manioc, and Zapata bladderpod. She served as field crew lead for Spring and Fall transect surveys as well as being responsible for the preparation and QA/QC of technical reports, to be submitted to the Texas Department of Transportation-Pharr District, to support an Environmental Assessment (EA) determination for National Environmental Policy Act (NEPA) clearance. Lead author of Biological Assessment for formal consultation with USFWS to support a May Affect, Likely to Adversely Affect determination for Zapata Bladderpod. 2017.

Client: TxDOT Pharr District

FM 908 Habitat Assessment and Section 7 Consultation for a Safety Improvement Project, Burleson County, TX—Served as the project manager and prepared the habitat assessment and information consultation document (Biological Evaluation) for coordination with the USFWS on a -mile long project in the Bryan District. The proposed project would include safety end treatment and culvert improvements to over 30 individual crossings along the roadway outside the City of Caldwell. The proposed project was located adjacent to previously occupied habitat for the Houston toad. In addition to preparing and completing the field investigations for the biological documents, a long term (3 year) monitoring program was coordinated with the USFWS and deployed along the FM 908 roadway. This effort used acoustic auto-loggers to document the presence/absence of Houston toads within the project area, utilizing the newly approved USFWS-acoustic survey protocol. USFWS concurrence issues May 2020.

TxDOT – Oak Hill Parkway (US 290/SH 71) EIS/ROD, Austin, Travis County, TX—Ms. Lind was a primary author and environmental project manager for the preparation of the US290/SH 71 EIS and ROD. The proposed project included the expansion of existing roadway in an environmentally sensitive area in Southwest Austin. Ms. Lind managed the preparation of the water and biological resources, historic and archeological resources, indirect & cumulative impacts analysis, and figure preparation for the EIS and supporting documentation. She has coordinated the submittal and comment/response of all EIS documentation through TxDOT, CTRMA, and agency reviews. Ms. Lind led the effort for T&E species consultation with the USFWS and prepared the Biological Assessment, which detailed the potential effects of the project on two federally-listed species. The USFWS issued a Biological Opinion and concurred with the effect determinations for this project in December 2017. Ms. Lind assisted the CMEC GIS staff in developing the base figure templates for the EIS, prepared detailed constraints maps, and completed comprehensive land use and vegetation figures, and illustrated the change in impervious cover over the Edwards Aquifer. Ms. Lind served as a subject matter expert at multiple public meetings, hearings, and workshops. She also presented at an environmental workshop for the local Oak Hill residents on landscaping enhancements and tree impacts. Ms. Lind served as QA/QC manager on all technical analyses and also conducted the field work for land use mapping, threatened and endangered species habitat surveys, vegetation mapping, and assisted with archeological site surveys. ROD approved 12/2018.

Client: TxDOT

SAWS Sanitary Sewer Improvements – W6, Bexar County, TX—Ms. Lind served as project manager for completing environmental services including T&E habitat assessments, archeological survey, wetland/waters of the U.S. delineation, Phase I ESA, and Phase II sampling for the W-6 Upper Segment project. A key challenge for this project was coordinating with various property owners, TxDOT, and SAWS for right-of-entry and specific access for conducting Phase II testing on bore shaft properties; the project is located adjacent to known contamination sites. 2019-2020.

Farm-to-Market (FM) 2100 Roadway Improvements for the TxDOT Houston District, Harris County, TX—Project included roadway widening from FM 1960 to Huffman-Cleveland Road, including bridge improvements over Luce Bayou, and construction of multiple detention ponds within the project area. Project tasks included conducting field surveys for T&E species, habitat assessments, and vegetation mapping. A Biological Evaluation Form and Technical Report were prepared and accepted by TxDOT HOU in December 2016.

Client contact: Christine Bergren | TxDOT Houston District | 713-802-5249 | email

TxDOT – US 79 Environmental Assessment, Round Rock, Williamson County, TX—Ms. Lind served as a deputy project manager for the Environmental Assessment for US 70 from I-35 to east of FM 1460 in Williamson County, Texas. Her responsibilities included preparation of the biological and water resources (including delineation) technical reports. She coordinated with project engineers, TxDOT, and the USFWS to determine likely effects to federally listed species. Ms. Lind prepared the formal consultation document (Biological Assessment) for compliance with Section 7 of the Endangered Species Act. She attended public involvement activities as a subject matter expert and assisted with the creation of constraints maps and meeting handouts. She performed QA/QC and coordinated submittals of technical reports prepared by other CMEC staff members. Project ongoing.

United States Highway 83 Roadway Improvement Project for the TxDOT Pharr District, Starr & Zapata Counties, TX—The proposed project includes construction of approximately 12 miles of roadway improvements to US 83, located north of Rio Grande City and extending north towards the Zapata County Line. US 83 serves as part of the Texas Trunk System and is an essential roadway through the border communities in Southwest Texas. Technical reports for Hazardous Materials, Historic Structures, Waters of the U.S. and Wetlands, Biology, Noise, and Community Impacts were prepared in support of Environmental Assessment Reevaluation. Additionally, CMEC staff conducted presence/absence endangered species surveys for four species of federally-listed endangered plants, including: star cactus, Johnston's frankenia, Walker's manioc, and Zapata bladderpod. Spring and Fall transect surveys were completed in advance of the preparation of a Biological Assessment for formal consultation with USFWS. 2016-2018.

Client contact: Edward Paradise | TxDOT Pharr District | 956-702-6100



EXPERTISE

Mr. Moore is an archeologist at Cox|McLain Environmental Consulting Inc., a WBE/DBE/HUB firm established in September 2007. Over the past 20 years he has conducted archeological research in Arizona, California, Colorado, Louisiana, Nevada, New Mexico, Oklahoma, Oregon, Texas, and Washington and in 22 countries. He has extensive experience developing and supervising all phases of cultural resources work and has substantial experience working with tribal authorities and federal/state agencies including: the U.S. Army Corps of Engineers, Bureau of Land Management, Department of Defense, Gila River Indian Community, and Tohono O'odham Indian Community. In addition to authoring and co-authoring several lithic and geoarchaeological publications, he has produced dozens of reports for projects carried out under the provisions of Section 106 of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act.

SELECTED PROJECTS

Archeological Survey and Testing for the Proposed METRO Multi-purpose Facility, 1507 Keene Street, Houston, Harris County, TX—Principal Investigator. Developed research design and supervised deep testing of 5.1-acre project area near downtown Houston. Recorded newly identified site 31HR1242, which was recommended eligible for inclusion on the NRHP. 2020.

Client contact: Rachel Die | METRO of Harris County | rachael.die@ridemetro.org

Intensive Archeological Survey of US 79 from FM 1512 to IH 45 for TxDOT Bryan District, Leon County, TX—Principal Investigator. Developed research design and Texas Antiquities Permit Application for archeological survey. Conducted field survey. Recorded one new historic-age site, 41LN425. 2020

Client contact Jason Barrett | TxDOT Houston District | 713-802-5804 | Jason.Barrett@txdot.gov

Intensive Archeological Survey of 17.9 Miles for the L8A(3rd) Pipeline Project, Freestone County, TX—Principal Investigator, developed and implemented survey research design. Supervised fieldwork. Identified new historic age site: 41FX650. 2020.

Client contact: Ellen Brady | Stantec | 757-831-3979 | ellen.brady@stantec.com

Intensive Archeological Survey for the Line S2 Replacement Project, Rusk and Smith Counties, TX—Principal Investigator, developed and implemented survey research design for 22-mile-long gas pipeline corridor and 60-acre staging area. Identified two new historic sites: 41SM496 and 41SM497. 2019.

Client contact: Ellen Brady | Stantec | 757-831-3979 | ellen.brady@stantec.com

Intensive Archeological Survey and Limited Testing at 41HY324 and 41HY325 for the Blanco Riverine Flood Mitigation Project, Hays County, TX—Principal Investigator. Developed research design, authored Texas Antiquities Permit Application, and supervised fieldwork of survey and testing at and between two known sites within a 110-acre project area. Recommended no further work due to agricultural disturbance; THC concurred in December 2019. 2019-2020.

Client contact: Jacquelyn Thomas | City of San Marcos | 512-393-8145 | jthomas@sanmarcostx.gov

Archeological Testing of Site 41WB482 for the Manadas Waste Water Treatment Plant Project, Laredo, TX—As geoarcheologist, supervised trenching and geomorphological assessment of landform underlying Prehistoric-age open campsite comprising approximately 13 acres. 2019.

Client contact: City of Laredo

Intensive Archeological Survey of the Cushing Express Pipeline Corridor, Lincoln, Logan, and Payne Counties, OK—Co-Project Archeologist/Geoarcheologist, supervised survey teams during field investigations and provided geoarcheological assessment of 20 stream crossings. 2019.

Client contact: Kirsten McCullough | Garver | 918-858-3799 | KJMcCullough@GarverUSA.com

Intensive Archeological Survey of 4 Provisionally Jurisdictional Stream Crossings for the Crestwood Lateral Pipeline, Loving County, TX—Principal Investigator, coordinated with USACE-Albuquerque and client to develop research design for survey. Organized field efforts and authored compliance report. 2019.

Client contact: Jake Trahan | Golder Associates | 281-821-6868 | Jacob_trahan@golder.com

FERC Pensacola Hydroelectric Project Relicensing Pre-Fieldwork, Craig, Delaware, Mayes, and Ottawa Counties, OK—Co-project geoarcheologist, developed and implemented survey strategy to identify landforms with highest probability for containing buried cultural resources along 1,400-mile long lake shore. 2019.

Client contact: Robert Quiggle | HDR/GRDA | 315-414-2216 | Robert.quiggle@hdrinc.com



Education

MA, Anthropology, University of Washington, Seattle, WA, 2001

BS, Anthropology and Geology, Southern Methodist University, Dallas, TX, 1999

TxDOT Precertifications

Sequence #27209

2.10.1 Archeological Surveys, Doc., Excavation, Testing Reports

Certifications

Registered Professional Archeologist (RPA) #13500

BLM Certified Project Director – Gulf Coast (Texas), Northwest New Mexico

eRailsafe Certified Contractor #481090

Specialties

- Management of complex projects
- Completed over 250 CRM projects
- Geoarchaeological/Geomorphological Assessments

Professional Activities and Continuing Education

Secretary, Council of Texas Archeologists

Society for American Archeology

Texas Archeological Society

Houston Archeological Society

Public Outreach Training, Council of Texas Archeologists, Austin, TX, 2019

HAZWOPER 24HR Certification, 2018

Roadway Worker Protection Course, Houston, TX, 2017

Railroad Contractor Orientation, Houston, TX, 2017

Section 106 Workshop, National Preservation Institute, Phoenix, AZ, 2005

NAGPRA Compliance Training, Burke Museum, Seattle, WA, 2001



Intensive Archeological Survey of 10 Acres for the Proposed Spellman Detention Basin, Houston, Harris County, TX—Principal Investigator, authored Texas Antiquities Permit Application, supervised fieldwork and regulatory coordination. THC concurred with all recommendations. 2019.

Client contact: Brian Boe | Halff Associates | 512-777-4549 | bboe@halff.com

Intensive Archeological Survey of 12 Stream Crossings Associated with the 1-85 Branch Pipeline Corridor, Loving County, TX—Principal Investigator, developed project proposal, supervised field investigations and USACE – Albuquerque District Section 106 coordination. Field studies resulted in the discovery of a previously undocumented historic-age site. 2019.

Client contact: Jake Trahan | Golder Associates | 281-821-6868 | Jacob_trahan@golder.com

Intensive Archeological Survey and Testing of Approximately 2 Acres within Site 41HR982 as part of the North Houston Highway Improvement Project for the TxDOT Houston District, Harris County, TX—Co-Principal Investigator/Project archeologist, supervised the excavation of mechanical trenches within portions of historic Frost Town neighborhood north of downtown Houston. Identified 28 subsurface features related to early-mid 20th century occupation of the sites. 2018.

Client contact Jason Barrett: | TxDOT Houston District | 713-802-5804 | Jason.Barrett@txdot.gov

Intensive Archeological Survey of Approximately 90 Acres of the Terra Ponds Project Specific Location Associated with Proposed Expansion of SH 249, Montgomery County, TX—Principal investigator/Project Archeologist, supervised field crew for pedestrian survey and mechanical trenching. 2018.

Client contact Jason Barrett: | TxDOT Houston District | 713-802-5804 | Jason.Barrett@txdot.gov

Intensive Archeological Survey and Mechanical Trenching at Six Locations Associated with the Enid Water Pipeline Project, Kay and Osage Counties, OK—Consulting geoarcheologist, supervised trenching and performed geomorphological assessment for mechanical trenching in fluvial depositional settings in north-Central Oklahoma. 2018.

Client contact: Kirsten McCullough | Garver | 918-858-3799 | KJMcCullough@GarverUSA.com

Intensive Archeological Survey of Approximately 5 Miles for the XTO to Sherrod Pipeline, Reagan County, TX—Principal investigator/Project Archeologist, supervised field survey augmented with shovel testing. 2018.

Client contact: Plains All-American

Phase II Archeological Testing of Sites 16SJ28 and 16SJ109 at the Proposed FG LA LLC Project Site, St. James Parish, LA—Co-Project Archeologist/Consulting Geoarcheologist, supervised mechanical excavations at loci within two 19th century sites located adjacent to the Mississippi River. Assessed geomorphology for loci. Co-authored report. 2018.

Client contact: Mike Hovath | POWER Engineers | mike.hovath@powereng.com

Archeological survey of Proposed Expansion of Grand Parkway/SH 99 for TxDOT Houston District, Montgomery, Harris, Liberty, and Chambers Counties, TX—Project Archeologist, supervised extensive pedestrian survey of TxDOT right-of-way and numerous ancillary project-specific locations for new roadway. Coordinated Texas Historical Commission permits. Authored relevant reports for regulatory compliance. 2018.

Client contact Jason Barrett: | TxDOT Houston District | 713-802-5804 | Jason.Barrett@txdot.gov

Archeological survey of proposed expansion to SH 249 between Pinehurst and Todd Mission for TxDOT Houston District, Grimes and Montgomery Counties, TX—Project Archeologist, supervised fieldwork for expansion of state highway and ancillary project specific locations, including mechanical excavations in multiple locations. Authored relevant reports for regulatory compliance. 2018.

Client contact Jason Barrett: | TxDOT Houston District | 713-802-5804 | Jason.Barrett@txdot.gov

Intensive Archeological Survey for a Haul Road Project Specific Location Associated with Proposed Expansion to SH 249 between Pinehurst and Todd Mission for the TxDOT Houston District, Grimes and Montgomery Counties, TX—Project Archeologist, supervised fieldwork for expansion of state highway and ancillary project specific locations. Authored relevant reports for regulatory compliance. 2018.

Client contact Jason Barrett: | TxDOT Houston District | 713-802-5804 | Jason.Barrett@txdot.gov

Archeological Monitoring of Excavations Associated with Three Buried Utility Lines, Harris County, TX—Archeological Monitor, supervised excavation of three utility lines within Freedman's Town, a NRHP-listed district. Coordinated with local decedent community to identify exposed cultural resources, including artifacts that dated 1890-1920. 2017.

Client contact: CenterPoint Energy

Archeological Testing and Monitoring of Bank Stabilization on the Brazos River, MP 125.6-127.9, Falls County, TX—Project Archeologist, supervised test excavations and subsequent monitoring on eastern cut bank of the Brazos River where erosion was threatening Union Pacific rail line. Worked with Union Pacific management and US Army Corps of Engineers, Fort Worth District to develop and implement mitigation plan for high-likelihood locations. Authored and edited relevant reports for regulatory compliance. 2017.

Client contact: Union Pacific



EXPERTISE

Mr. Huerta is an Architectural Historian with experience in property assessments, historic preservation, and related work, including research, documentation and regulatory compliance. His expertise includes surveying, assessing, and documenting historic properties and determining eligibility for the National Register of Historic Places in compliance with Section 106 and NEPA; archival research; and historic context development. As project manager he has ten years' experience performing project design and control, project communications, and project documentation activities. He meets the Secretary of the Interior's professional qualifications for Architectural Historian.

SELECTED PROJECTS

Intensive Level Survey of Guthrie Historic District, Guthrie, Logan County, OK—Served as Project Historian for an intensive level architectural/historic resources survey conducted March 2019 of the National Historic Landmark Guthrie Historic District in Guthrie, Oklahoma. Resources on 132 parcels were evaluated, focusing on the 69 contributing and 42 noncontributing resources identified in the Guthrie Historic District NHL nomination. Each resource in the district was reevaluated for contributing or noncontributing status. CMEC also reevaluated the NHL district's areas of significance, period of significance, and boundaries. Completed background research, field survey, SHPO HPRI forms, and preparation of survey report. September 2019.

Client: City of Guthrie

National Register of Historic Places (NRHP) Nomination for the Uvalde Downtown Historic District, Uvalde, TX—Served as Project Historian and prepared Section 7, Description; and Section 8, Statement of Significance, for the Uvalde Downtown Historic District NRHP nomination. Section 7 included a general overview of the district, a statement on the district's historic integrity, and architectural descriptions of each resource. The Section 8 discussed the city's establishment, the district's area of significance, summary of criteria, and conclusion. The Texas State Board of Review approved this nomination on January 12, 2019 in Laredo, TX.

Cultural Resources Survey for New Alignment and Improvements of SH-82 for Oklahoma Department of Transportation (JP27101(04)(09)), Cherokee County, OK—Served as Project Historian for cultural resources survey conducted November 2019 of 50 historic-age resources dating from c.1925 to 1972. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. Also prepared the associated Oklahoma State Historic Preservation Office (SHPO) Historic Preservation Resource Identification (HPRI) forms. 2019-present.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

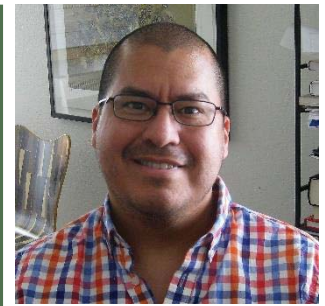
Cultural Resources Survey Report for Proposed Improvements to SH-2 for Oklahoma Department of Transportation (J/P 24212(04), Latimer County, OK—Served as Project Historian for cultural resources survey conducted August 2019 of 13 historic-age resources dating from c.1930 to 1932, including five previously unevaluated bridges. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. The survey included re-evaluation of the NRHP-listed Colony Park Pavilion, a contributing resource to the NRHP multiple property listing *Works Progress Administration (W.P.A.) Public Buildings, Recreational Facilities, and Cemetery Improvements in Southeastern Oklahoma, 1935–1943*. As a result of the survey, CMEC recommended two previously unrecorded resources associated with the Colony Park Pavilion eligible for inclusion in the NRHP. An evaluation of the undertaking's direct and indirect effects on one of the recommended resources, along with recommendations, were presented in the report. Also prepared the associated SHPO HPRI and Oklahoma Bridge Survey and Inventory Form: Non-Truss Bridges (BSI) forms. 2019-present.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Proposed Improvements to SH-2 for Oklahoma Department of Transportation (J/P 24403(04)), Latimer County, OK—Served as Project Historian for cultural resources survey conducted August 2019 of 7 historic-age resources dating from c.1930 to 1932, including four previously unevaluated bridges. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. Also prepared the associated SHPO HPRI and BSI forms. 2019-present.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Proposed Improvements to I-40 for Oklahoma Department of



Education

MS Architecture with Concentration in Historic Preservation, University of Texas-San Antonio, 2018

BA, Organizational Development, University of the Incarnate Word, 2014

Specialties

- Management of complex projects
- Completed over 25 historic survey projects

Professional Activities and Continuing Education

Society of Architectural Historians

Tulsa Foundation for Architecture

National Trust for Historic Preservation

UTSA Historic Preservation

Association- Secretary, 2016-2018

"Section 106 for CRM Professionals," Oklahoma State Historic Preservation Office, 2019

"Working with the National Register of Historic Places," Oklahoma State Historic Preservation Office

American Red Cross Adult First Aid, CPR, & AED certification, January 2019



Transportation (J/P 21007(07)(10)(13)), Pottawatomie County, OK—Served as Project Historian for cultural resources survey conducted March 2019 of 35 historic-age resources dating from c.1940 to c.1970, including a previously unevaluated rail bridge. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. Also prepared the associated SHPO HPRI and BSI forms. 2019-present.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Ottawa J/P 31170(04): Proposed Improvements to S. 520 Road and E. 120 Road for Oklahoma Department of Transportation, Ottawa County, OK—Served as Project Historian for cultural resources survey conducted April 2019 of five historic-age resources dating from 1941 to c.1970, including three previously unevaluated Works Projects Administration (WPA) culverts. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. Also prepared the associated SHPO HPRI and Oklahoma Depression-era Bridges and Road-Related Resources, 1933-1945 Bridges/Culverts with Confirmed Works Program Association forms. April-December 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Proposed Bridge Replacement on County Road NS-437 for Oklahoma Department of Transportation (J/P 31166(04)), Mayes County, OK—Served as Project Historian for cultural resources survey of a concrete slab bridge constructed in 1920. Completed background research, resource assessment, and preparation of BSI form. November 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Proposed Improvements to SH-28 over Pensacola Dam for Oklahoma Department of Transportation (J/P 31884(05)), Mayes County, OK—Served as Project Historian for cultural resources survey conducted July 2019 of 95 historic-age resources dating from 1897 to c.1975. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. The survey included re-evaluation of the NRHP-listed Pensacola Dam Historic District and the individually listed 1942 Disney Jail building. As a result of the survey, CMEC recommended two previously unrecorded resources eligible for inclusion in the NRHP. Also prepared the associated SHPO HPRI forms. July-October 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Proposed Improvements to SH-9 for Oklahoma Department of Transportation (J/P 23288(04)), Pottawatomie County, OK—Served as Project Historian and internal Project Manager for cultural resources survey conducted June 2019 of 24 historic-age resources dating from 1945 to c.1970. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and National Register of Historic Places (NRHP) eligibility. Also prepared the associated SHPO HPRI forms. Project management duties included project planning, reporting, budget oversight, team management, and invoicing. June-July 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Improvements of US-270 for Oklahoma Department of Transportation (J/P 20922(07)), Latimer County, OK—Served as Project Historian for cultural resources survey conducted August 2018 of 34 historic-age resources dating from c. 1910 to c.1970. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and NRHP eligibility. Also prepared the associated SHPO HPRI forms. August 2018-July 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Coal JP 31056(04): Proposed Improvements to SH-48 for Oklahoma Department of Transportation, Coal County, OK—Served as Project Historian for cultural resources survey conducted November 2018 of 3 historic-age resources dating from c. 1970. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and NRHP eligibility. Also prepared the associated SHPO HPRI forms. November 2018-May 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Cultural Resources Survey Report for Coal JP 31055(04): Proposed Improvements to SH-48 for Oklahoma Department of Transportation, Coal County, OK—Served as Project Historian for cultural resources survey conducted November 2018 of 10 historic-age resources dating from 1950 to 1970. Completed background research, field survey, resource assessment, and preparation of survey report. The assessment included determination of form, style, materials, and changes to the surveyed resources; and NRHP eligibility. Also prepared the associated SHPO HPRI forms. November 2018-May 2019.

Client contact: Scott Sundermeyer | ODOT | 405-325-7201 | SSundermeyer@odot.org

Historic Structure Report (HSR) for the San Antonio Missions National Historical Park, San Antonio, Bexar County, TX—Served as Project Historian and prepared developmental histories for the Mission San José and Mission Concepción *conventos*, including historical background and context. Also authored HSR chronology of development and use. The report was prepared by the UTSA Center for Cultural Sustainability for the National Park Service and Mission Heritage Partners. 2017-2018.

Client: UTSA Center for Cultural Sustainability



FIELDS OF EXPERIENCE

Ms. Riddle is an Architectural Historian at Cox|McLain Environmental Consulting, Inc., a WBE/DBE/HUB firm established in September 2007. Before obtaining her masters in Historic Preservation, she worked in cultural and music heritage conservation in Texas. During graduate school, she gained extensive experience with Historic American Building Survey (HABS) documentation, National Register of Historic Places (NRHP) eligibility requirements, design guidelines for historic properties, and photographic documentation. Her work experience includes architectural and historic site surveys, Historic Preservation Tax Credit applications, building window surveys, and interpretative historic content creation. Ms. Riddle has worked on projects in Arkansas, Louisiana, Texas, and Oklahoma. She meets the Secretary of the Interior's professional qualifications for Historian and Architectural Historian.

Selected Project Experience

- **On-Call Historic Resources Consulting for the City of Georgetown, TX. 2018-present.** Serving as Principal Investigator/consultant for various historic preservation projects for the City of Georgetown. Work includes research, special projects, and recommendation development to support the planning department. Tasks include research on tax credit programs, preparation of public outreach materials, recommendations regarding proposed renovations and demolitions, and other tasks as assigned.
- **FM 1735 Historic Resources Survey Report, Titus County, TX. 2019.** Primary report author for historic resources survey conducted for the Texas Department of Transportation for Farm-to-Market Road 1735 in Titus County, Texas. Deliverables include individual resource documentation, a historic resources survey report, and determinations of eligibility.
- **Avondale-Haslet Intermodal Historic Resources Survey Report, Haslet, TX. 2019.** Historian for historic resources survey conducted for the Texas Department of Transportation for Avondale-Haslet Road, Haslet Parkway, and Intermodal Parkway in Haslet, Texas. Deliverables include individual resource documentation, a historic resources survey report, and determinations of eligibility.
- **US 183A Historic Resources Survey Report, Leander, TX. 2018-19.** Historian for historic resources survey conducted for the Texas Department of Transportation along US 183A in Leander, Texas. Deliverables include individual resource documentation, a historic resources survey report, and determinations of eligibility.
- **Municipal Survey for the City of Seguin, TX. 2018-19.** Historian for historic resources survey conducted in accordance with Texas Historical Commission (THC) survey standards. Deliverables include survey report, context, individual resource documentation, determinations of eligibility, and recommendations for future preservation planning and survey opportunities.
- **Zilker Historic District Nomination Update, Austin, TX. 2018.** Authored an update to the Zilker Historic District Nomination for the City of Austin Parks and Recreation Department. Conducted archival research, organized descriptions and photographs, surveyed park resources, created maps and graphics, and wrote historic contexts.
- **Window Survey and Tax Credit Consultation for the Maskat Shrine Temple, Wichita Falls, TX. 2017-18.** Completed a survey of all windows for the historic Maskat Shrine Temple and authored a historic context and survey analysis for state and federal Historic Preservation Tax Credit applications.
- **NRHP Nomination for the Petroleum Building, Longview, TX. 2018.** Co-authored a NRHP nomination for a historic office building. Documented and created photo maps for the building.
- **Survey Preparation and Post-Survey Analysis for the Arlington Hotel, Hot Springs, AR. 2018.** Prepared reconnaissance survey materials, wrote a historic context, and organized survey photos for a historic hotel.
- **Window Survey and Tax Credit Consultation for Austin Arms Apartments, Waco, TX. 2017.** Completed a survey of all windows in a large historic apartment building and co-authored historic contexts and survey analysis for state and federal Historic Preservation Tax Credit applications.
- **Municipal Survey for the City of Mount Vernon, TX. 2017.** Prepared reconnaissance survey materials, conducted archival research, wrote descriptions for survey buildings, applied NRHP criteria to determine potential district eligibility.



EDUCATION

MSHP, Historic Preservation,
University of Texas at Austin,
2017

BA, History,
University of Central Arkansas,
2014

PROFESSIONAL ACTIVITIES

Board Member, Inherit Austin

Presenter, APT International
Ottawa, 2017

Presenter, Central Texas History
Conference, 2017

Contributor, Journal of Texas
Music History, 2018

Volunteer, South Austin Museum
of Popular Culture



Austin Blase, Ecologist

EDUCATION

B.S., Environmental Science focus in Marine and Coastal Resources, Texas A&M-Corpus Christi, TX

CERTIFICATIONS AND PERMITS

HAZWOPER 40-hour OSHA/RCRA Certification

HAZWOPER Supervisor

40-hour Oil Spill Prevention and Response Certification

Wetland Training Institute- 40-hour Wetland delineator training.

FIELDS OF EXPERIENCE

Mr. Blase is an Ecologist at Cox | McLain Environmental Consulting Inc., a WBE/DBE/HUB firm established in September 2007. As an Ecologist for CMEC, his responsibilities have included wetland delineations, habitat surveys, MBTA surveys, threatened and endangered species surveys, report writing, and field investigations.

Mr. Blase has worked on numerous NEPA documents for transportation and infrastructure projects, including construction phase support services and fast paced design-build projects. His ability to collect/ interpret field data and his knowledge of environmental regulations combine to prepare accurate and administratively complete compliance documents.

EMPLOYMENT HISTORY

Cox | McLain Environmental Consulting, Inc. – Houston, Texas, September 2017 to present, Ecologist.

National Spill Control School (NSCS) – Corpus Christi, Texas, January 2017 to September 2017, Internship.

Turner Industries – Baton Rouge, Louisiana, June 2016 to November 2016, Boilermaker.

RELATED PROJECT EXPERIENCE

Biological Monitor and Construction Phase Services – SH 99-Grand Parkway Infrastructure Project, Montgomery, Harris, and Liberty Counties, Texas. 2017-2019.

Biologist responsible for coordinating, conducting, and submitting technical reports on the presence of wetlands/waters of the U.S. pursuant to Section 401/404 of the Clean Water Act for multiple Project Specific Locations (PSLs). Also biologist responsible for coordinating, conducting, and submitting technical reports on the presence of nesting bird species pursuant to the Migratory Bird Treaty Act. Regularly conducted migratory bird nest surveys and monitored construction sites for the activity of nesting birds, and conducted multiple freshwater mussel surveys throughout the project area. The proposed project includes constructing approximately 50+ miles of new roadway alignment through heavily wooded areas.

Client: Eddie George
Contact: Grand Parkway Infrastructure
Phone: (713) 826-8237

Biological Monitor and Construction Phase Services – SH 249-Aggie Parkway Infrastructure Project, Montgomery and Grimes Counties, Texas. 2017-2019.

Biologist responsible for coordinating, conducting, and submitting technical reports on the presence of wetlands/waters of the U.S. pursuant to Section 401/404 of the Clean Water Act for multiple Project Specific Locations (PSLs) including laydown yards, concrete batch plants, haul roads, borrow pits, and office sites. Also biologist responsible for coordinating, conducting, and submitting technical reports on the presence of nesting bird species pursuant to the Migratory Bird Treaty Act. Regularly conducted migratory bird nest surveys and monitored construction sites for the activity of nesting birds. The proposed project includes constructing approximately 23 miles of new roadway alignment through heavily wooded areas.

Client: Hunter Lehrman, P.E.
Contact: Williams Brothers Construction Co. Inc.
Phone: (512) 845-2155

Biological Monitor and Construction Phase Services – SH 72, Dewitt county, Texas. 2017-2018

Biologist responsible for coordinating, conducting, and submitting technical reports on the presence of wetlands/waters of the U.S. pursuant to Section 401/404 of the Clean Water Act for multiple Project Specific Locations throughout the length of the project area.



Austin Blase, Ecologist

Client: TxDOT Yoakum District
Contact: Alan Migl
Phone: (361)293-4378

Biological Monitor and Construction Phase Services- FM 2100, Harris county, Texas. 2017-2018

Biologist responsible for coordinating, conducting, and submitting technical reports on the presence of wetlands/waters of the U.S. pursuant to Section 401/404 of the Clean Water Act for multiple areas throughout the project right of way.

Client: TxDOT Houston District
Contact: Reina Gonzalez
Phone: (713) 802-5000

Biological Monitor and Construction Phase Services- SH 73, Chambers and Jefferson counties, Texas. 2017-2018

Biologist responsible for coordinating, conducting, and submitting tier 1 site assessment and Biological Evaluation form for new project right of way.

Client: TxDOT Beaumont District
Contact: LeAnna Shepherd
Phone: (409) 892-7311

Biological Monitor and Construction Phase Services- FM 1495, Brazoria county, Texas. 2018

Biologist responsible for coordinating, conducting, and submitting technical reports on the presence of wetlands/waters of the U.S. pursuant to Section 401/404 of the Clean Water Act for new areas in the expanded project right of way.

Client: TxDOT Houston District
Contact: Michelle Wilkins
Phone: (713) 802-5000

Biological Monitor and Construction Phase Services- Diamond Back Landfill, Ector county, Texas 2018

Diamond Back Recycle and Sanitary Landfill, LP. has proposed the construction of a new landfill, Diamond Back Landfill, approximately 10 miles west of Odessa in Ector County, Texas. The project area encompasses approximately 202 acres and is located on an undeveloped parcel. CMEC staff conducted a delineation of Waters of the U.S. and Threatened and Endangered Species habitat assessment. A Preliminary Jurisdictional Determination and Biological Technical Report were prepared by Diamond Back Recycle and Sanitary Landfill, LP. Biologist responsible for completing Preliminary Jurisdictional Determination.

Client: Diamond Back Recycle and Sanitary Landfill, LP
Contact: Holly Holder, P.E. (Parkhill Smith & Cooper, Inc.)
Phone: (806) 473-2200

Eagle Nest Surveys - SH 36, Fort Bend and Brazoria counties, Texas 2019

Biologist responsible for conducting eagle nest surveys and presence/absence surveys along with the preparation of a summary report. Survey was conducted by identifying flight transects located throughout the project area and contracting with a local helicopter service to fly the designated routes. Biologists took note of raptor nests and eagles, marking locations where sightings occurred with a handheld GPS.

Client: CP&Y for the TxDOT Houston District
Contact: Josh Geyer
Phone: (713) 579-7411



DAVID W. SANDROCK, BA – Staff Archeologist

EDUCATION

MA, Anthropology, Minor in
Geographic Information Systems,
Texas Tech University, Lubbock,
TX, In Progress, Graduation date:
December 2016

BA, Anthropology, Humboldt State
University, Arcata, CA, 2011

PROFESSIONAL ACTIVITIES

Member, Society for American
Archeology

Member, Texas Archeological
Society

Member, Society for California
Archaeology

LICENSES AND CERTIFICATIONS

American Red Cross First Aid/CPR
NOLS Wilderness First Aid Certified

FIELDS OF EXPERIENCE

Mr. Sandrock is an archeologist at Cox|McLain Environmental Consulting Inc., a WBE/DBE/HUB firm established in September 2007. He has conducted archeological research for over five years, primarily in Texas, Louisiana, California, and Belize. His background includes education and field experience in archeological reconnaissance, survey, excavation, historical research, artifact analysis of both historic and prehistoric materials, including faunal remains, and curation of all types of archeological materials and records. Mr. Sandrock has participated in archeological survey, testing, and data recovery fieldwork for city, county, state, and federal government entities as well as private clients. In addition to conference presentations prepared for regional and national venues, he has also participated in public outreach events and activities. Voluntary endeavors include volunteer coordination and instruction for field projects in Belize. In addition, he has authored and co-authored several reports of investigations for projects carried out under the provisions of Section 106 of the National Historic Preservation Act and the Texas Antiquities Code.

EMPLOYMENT HISTORY

Crew Chief/Staff Archeologist, Cox|McLain Environmental Consulting, Inc., Austin, TX, February 2015 to Present.

Crew Chief, Perennial Environmental Services, Austin, TX, September 2014 to February 2015.

Survey Director and Assistant Field Director, Chan Chich Archaeological Project and Programme for Belize Archaeology Project, Orange Walk, Belize, May 2011 to July 2014.

Graduate Teaching Assistant, Texas Tech University, Lubbock, TX, January 2013 to August 2014.

Field Technician, SWCA Environmental Consulting, Austin, TX, 2011-2012.

SELECTED PAPERS, PRESENTATIONS, AND PUBLICATIONS

Sandrock, D., and B.A. Houk. 2014. *Preliminary Results of the 2013 Gallon Jug and Laguna Seca Survey and Reconnaissance in Northwestern Belize*. Paper presented at the Society for American Archaeology Annual Meetings, Austin, Texas, April 26.

Phillips, L. and **D. Sandrock**. 2014. Preliminary Analysis of Historic Bottles from Qualm Hill Camp. Papers of the Chan Chich Archaeological Project, edited by Brett A. Houk, 8, pp 131-136. Department of Sociology, Anthropology, and Social Work, Texas Tech University, Lubbock, Texas.

Sandrock, D. and M.D. Willis. 2014. Results of the 2014 Field Season of the Belize Estates Archaeological Survey Team. *Papers of the Chan Chich Archaeological Project*, edited by Brett A. Houk, 8, pp 111-127. Department of Sociology, Anthropology, and Social Work, Texas Tech University, Lubbock, Texas.

Houk, B.A., K. Kelley, **D. Sandrock**, and K. Herndon. 2014. The Chan Chich Archaeological Project and the Belize Estates Archaeological Survey Team, 2013 Season. *Research Reports in Belizean Archaeology* 11:327-336.

Sandrock, D. 2013. *Preliminary Results of the 2013 Gallon Jug and Laguna Seca Survey and Reconnaissance in Northwestern Belize*. Paper presented at the South Central Conference on Mesoamerica, University of Houston, Houston, Texas, November 3.

Sandrock, D. 2013. Operation 1. *Dos Hombres to Gran Cacao Archaeology Project 2012 Interim Field Report*. Edited by Marisol Cortes-Rincon and Sarah Nicole Boudreaux. Mesoamerican Archaeological Research Laboratory, The University of Texas, Austin.

Sandrock, D. 2012. Operation 1. *Dos Hombres to Gran Cacao Archaeology Project 2011 Interim Field Report*. Edited by Marisol Cortes-Rincon and Sarah Nicole Boudreaux. Mesoamerican Archaeological Research Laboratory, The University of Texas, Austin.



DAVID W. SANDROCK, BA – Staff Archeologist

SELECTED ARCHEOLOGICAL PROJECT EXPERIENCE

Intensive Archeological Survey for Weiss Lane Widening, Travis County, Texas. July 2016. Conducted pedestrian survey with shovel testing within 537-acre area of potential effects. No sites or artifacts found; no further work recommended.

Client: LJA/ City of Pflugerville
Contact: Ken Schrock (LJA)
Phone: 512-439-4716
Email: kschrock@ljaengineering.com

Intensive Archeological Survey of a 537-Acre Permit Amendment Area at the Burke Hollow ISR Uranium Mine, Bee County, Texas. February to July 2016. Conducted pedestrian survey with shovel testing within 537-acre area of potential effects. Extensive erosion and disturbance observed. No sites or artifacts found; no further work recommended.

Client: Uranium Energy Corporation
Contact: Craig Wall
Phone: (361) 888-8235
Email: cwall@uraniumenergy.com

Intensive Archeological Survey of a 540-Acre Permit Amendment Area at the Burke Hollow ISR Uranium Mine, Bee County, Texas. February to June 2015. Conducted pedestrian survey with shovel testing within 540-acre area of potential effects. Extensive erosion and disturbance observed. No sites or artifacts found; no further work recommended.

Client: Uranium Energy Corporation
Contact: Craig Wall
Phone: (361) 888-8235
Email: cwall@uraniumenergy.com

Intensive Archeological Survey of the Proposed Highland Park Improvements, Pflugerville, Travis County, Texas (October 2015 to Present). Performed archeological survey for proposed improvements to Highland Park in Pflugerville. Proposed park improvements are located within a 105-acre (42-hectare) parcel of land. Ground surface visibility was mixed and was generally below 30 percent in areas near Wilbarger Creek. Thirty-six shovel tests were excavated across the parcel and none were positive for cultural materials. One biface fragment was noted in a pile of imported limestone cobbles located near a culvert crossing Wilbarger Creek. No further work was recommended.

Client: City of Pflugerville/Studio 16:19
Contact: Brent Baker (Studio 16:19)
Phone: 512-534-8680
Email: brent@studio1619.com

Survey of the Proposed Carmel-Sorento Interceptor Line and Force Main Relocation, Pflugerville, Travis County, Texas (August 2015 to February 2016). Performed archeological survey for proposed wastewater improvements within a 15.4-acre area. Ground surface visibility was mixed; twenty shovel tests were excavated across the project area, focusing on areas near Wilbarger Creek. None of the shovel tests were positive. The only cultural materials noted in the project area were on the surface near previously recorded site 41TV2453. Those materials were recorded as an extension of the site boundary. The portion of site 41TV2453 that is located within the footprint of proposed improvements was recommended as not eligible. The THC concurred in November 2015. Records were prepared for transfer to a curatorial facility.

Client: City of Pflugerville/K. Friese and Associates
Contact: Tom Owens (K. Friese and Associates)
Phone: 512-338-1704
Email: TOwens@kfriese.com

Intensive Archeological Survey for FM 969, Travis County, Texas. (July 2015 to present). Assisted in archeological survey for improvements proposed along a 1.96-mile segment of FM 969 in Travis County, Texas. Ground surface within areas of proposed right-of-way was mixed; ten shovel tests were excavated. Two were positive: one with a two flakes and a possible burned rock and one with two shards of glass and an unrefined earthenware sherd. These materials were treated as isolated finds as no other materials were present nearby. Coordination with TxDOT is ongoing.

Client: LJA/ TxDOT Austin District
Contact: Ken Schrock (LJA)
Phone: 512-439-4716
Email: kschrock@ljaengineering.com



JESUS MARES — Environmental Compliance Manager

EDUCATION

B.S. Environmental Science
Texas A&M University 2011

TRAINING & CERTIFICATION

Wetland Delineation Training,
Texas A&M, May 2010

OSHA 10-Hour Construction Safety
Certificate, July 2014

Phase I and II Environmental Site
Assessments for Commercial Real
Estate, ASTM Training, 2018

OSHA/RCRA 40-Hour HAZWOPER
Certificate, August 2019

TxDOT Storm Water and Erosion
and Sediment Control,
ENV 300 & 301

TxDOT Environmental Conference
2015: Hazmat ISA Training

CPR and First Aid Training

TECHNICAL SKILLS

GIS software including ESRI
ArcGIS 10.2

GPS handheld units such as
Trimble

Fluent in Spanish with the ability to
translate legal and public
documents

FIELDS OF EXPERIENCE

Mr. Mares is an environmental scientist at Cox|McLain Environmental Consulting, Inc., a WBE/DBE/HUB firm established in September 2007. Mr. Mares has several years of experience handling environmental permits and compliance management. This background has given him a deep understanding of a broad range of jurisdictional issues, including but not limited to threatened and endangered species surveys, wetland delineations, Phase I hazmat ESAs, and NEPA compliance. He is also skilled in environmental report preparation and GIS data processing.

Mr. Mares has worked on numerous local, state, and federal environmental permit applications for infrastructure and residential, commercial, and industrial development projects. He draws on his ability to collect and interpret field data and his knowledge of environmental regulations to prepare accurate and administratively complete compliance documents and collect field data in a scientifically valid manner.

EMPLOYMENT HISTORY

Environmental Scientist, Cox|McLain Environmental Consulting, Inc., Austin, TX, July 2014 to present.

Paralegal, The Law Office of Gerald M. Gonzales, Austin, TX, July 2013 to February 2014.

Paralegal, Lowerre, Frederick, Perales, Allmon & Rockwell, Austin, TX, December 2012 to June 2013.

Paralegal, The Law Office of Ricardo Maldonado, Austin, TX, February 2012 to November 2012.

Research Intern, Texas A&M College of Science, College Station, TX, January 2011 to May 2011

SELECTED PROJECT EXPERIENCE

Capital Metro Redline Station –Provide environmental compliance inspections and reports for a downtown Metro rail station, beginning in the summer of 2018 to present. Ensured compliance with local, state and federal environmental regulations during the construction phase. Conducted site visits, documented project phases and any violations. Complied with proper training and procedures when working near railroad tracts.

Client: NHTB
Contact: Joshua Mieth
Phone: 512 447 5590

U.S. International Boundary and Water Commission (IBWC) Fort Brown, Brownsville, Texas, 2018 – Completed a Phase I ESA on the historical grounds of the original Fort Brown. Conducted a site visit and researched regulatory records, aerial photographs, historical topographic maps, county records, military maps and plans to determine the likelihood of a hazmat site being near the project area and, if present, assess whether it was likely to affect the construction project.

Client: U.S. IBWC
Contact: Kelly Blough
Phone No.: 915 832 4734

Texas Facilities Commission – Capitol Complex Project 2017 – Assisted in drafting a Phase 1 ESA prior to extensive sub-surface excavations under several city blocks in northern portions of the Capitol Complex in Austin, Texas. Research included city databases on pre-regulatory petroleum tank installations, project records of past mitigation and testing efforts, and records review in the TCEQ Central File Room.



JESUS MARES — Environmental Compliance Manager

Drafted risk-assessment matrix to help inform project developers regarding potentially contaminated areas within the zones of excavation. Historic records revealed past uses including dry cleaners, fuel distributors, and industrial power supply facilities.

Client: Texas Facilities Commission/Cobb-Fendley & Associates
Contact: Dan Warth, P.E.
Phone: 512-646-4314

Unincorporated, Dimmit County, Texas, 2018 — Completed a Phase I ESA for a proposed municipal landfill. Conducted a site visit and researched regulatory records, aerial photographs, and historical topographic maps to determine the likelihood of a hazmat site being near the project area and, if present, assess whether it was likely to affect the construction project.

Client: Hejl, Lee & Associates, Inc.
Contact: Daniel Hejl, P.E.
Phone No.: 512 642 3292

Buda, Hays County, Texas, 2017 — Completed a Phase I ESA for a business transaction. Conducted a site visit and researched regulatory records, aerial photographs, and historical topographic maps to determine the likelihood of a hazmat site being near the project area and, if present, assess whether it was likely to affect the construction project.

Client: Continental Properties Inc.
Contact: Gwyn Wheeler
Phone No.: 262 532 9352

FM 969 from FM 973 to Hunters Bend Road Travis County, Texas, 2015 (CSJ 1168-01-091) — Proposed road widening project. Assisted with drafting the Hazmat ISA form. Researched regulatory records, aerial photographs, and historical topographic maps to determine the likelihood of a hazmat site being near the project area and, if present, assess whether it was likely to affect the construction project.

Client: LJA Engineering/Travis County
Contact: Ken Schrock, P.E. (LJA)
Phone: 512 439 4716

Pflugerville Gin Phase I ESA, Travis County, Texas, 2015 — Completed a Phase I ESA for a business transaction. Conducted a site visit and researched regulatory records, aerial photographs, and historical topographic maps to determine the likelihood of a hazmat site being near the project area and, if present, assess whether it was likely to affect the construction project.

Client: City of Pflugerville
Contact: Trey Fletcher, AICP
Phone No.: 512 990 6101

Pflugger Estate Phase I ESA, Travis County, Texas, 2015 — Assisted with a Phase I ESA for a business transaction. Conducted a site visit and researched regulatory records, aerial photographs, and historical topographic maps to determine the likelihood of a hazmat site being near the project area and, if present, the likelihood of it affecting the construction project.

Client: City of Pflugerville
Contact: Trey Fletcher, AICP
Phone No.: 512 990 6100

East Old Settlers Boulevard Site Phase I ESA Williamson County, Texas, 2015 — Completed a Phase I ESA for a business transaction. Conducted a site visit and researched regulatory records, aerial photographs, and historical topographic maps to determine the likelihood of a hazmat site being near the project area and, if present, assess whether it was likely to affect the construction project.

Client: Continental Properties Inc.
Contact: Gwyn Wheeler
Phone No.: 262 532 9352

Lowerre, Frederick Perales Allmon & Rockwell Paralegal Travis County, Texas, 2012–2013 — Handled public and contested case hearings involving permits in the PUC, TCEQ, and SOAH. Reviewed transcripts, notices, correspondence, and permit applications. Drafted documents and filed them with the proper agencies ensuring compliance with federal and state law and local rules.

Clients: Confidential
Contact: David Frederick
Phone: 512 469 6000



CLAIRE PARRA, MS, AWB – ECOLOGIST

EDUCATION

B.S. Biology, Texas State University, 2010.

M.S. Wildlife Ecology, Texas State University, 2012.

TRAINING & CERTIFICATION

Wetland Training Institute (WTI) – Basic Wetland Delineation – April 2017

FHWA USFWS Section 7 ESA Training, November 2017

OSHA 10-Hour Construction Safety Certificate – July 2015

Certified Associate Wildlife Biologist, Wildlife Society, Dec 2013

Sub-permittee, USFWS Species Recovery Permit No. TE168185-3

Sub-permittee, TPWD Scientific Research Permit No. SPR-0691-409.

TECHNICAL SKILLS

GIS software including ESRI ArcGIS 10.2

GPS handheld units such as Garmin

PUBLICATION

Parra, C.A., Duarte, A., Luna, R., Wolcott, D.M., and F.W. Weckerly. 2014. Body weight, age, and reproductive influences on liver weight of white-tailed deer. *Canadian Journal of Zoology*.

PRE-CERTIFICATIONS

TxDOT Pre-certifications (Sequence #00003172)

2.3.1 Nationwide Permits

2.6.2 Impact Evaluation Assessments

FIELDS OF EXPERIENCE

Ms. Parra is an ecologist at Cox|McLain Environmental Consulting Inc. She has a formal education in wildlife ecology and several years of field experience including endangered bird surveys incorporating point counts, resighting surveys, nest searching and monitoring, territory mapping, deer spotlight surveys, and vegetation surveys for endangered species habitat. She has also participated in several habitat ecology projects including grassland management, invasive species removal, black-capped vireo habitat restoration, and oak-wilt monitoring. She has experience assisting with wetland delineations and the writing of biological technical reports. She also has experience with the latest version of ArcGIS and map making as well as navigation with aerial maps and handheld GPS units. Her expertise include avian identification by sight and sound, plant identification, and avian and mammalian trapping and survey techniques.

EMPLOYMENT HISTORY

Staff Ecologist, Cox|McLain Environmental Consulting, Inc., Austin, TX, June 2015 to present.

Survey Technician, ZARA Environmental, Austin, TX, March 2015 to June 2015.

Outreach Intern, City of Austin Wildlands Conservation Division, Austin TX, June 2014 to September 2014.

Survey Technician, University of Missouri, Austin, TX, March 2014 to June 2014.

Survey Technician, University of Missouri, Austin, TX, March 2013 to June 2013.

Instructional Assistant for Anatomy and Physiology Labs, Texas State University, San Marcos, TX, August 2010 to December 2012.

SELECTED PROJECT EXPERIENCE

COA Water Quality Protection Lands Golden-cheeked Warbler and Black-capped Vireo Surveys – Performed Black-capped Vireo and Golden-cheeked Warbler surveys for territory mapping according to USFWS protocol on three of the City's Water Quality Protection Lands, within Hays and Travis Counties, Texas. Spring 2018.

Client: City of Austin
Contact: Matt McCaw
Phone: 512-350-0634

US 183A Golden-cheeked Warbler Presence/Absence Surveys – Performed Golden-cheeked Warbler presence/absence surveys for a proposed transportation improvement project in Williamson County, Texas. Surveys were conducted according to USFWS protocol. Also responsible for writing the report at the completion of the surveys. Spring 2018.

Client: WSP USA for TxDOT
Contact: James Hamilton
Phone: (737) 703-3842

Golden-cheeked warbler/Black-capped vireo surveys for Camp Bullis Army Training Camp – Wildlife Biologist for annual monitoring of endangered species on Camp Bullis Army Training Camp in San Antonio, Texas. Conducted presence/absence and territory surveys for the federally endangered Golden-cheeked Warbler and Black-capped Vireo. Surveys involved point counts, resighting banded individuals, nest-searching, territory mapping, and nest monitoring. Encompassed handheld GPS use, navigation with aerial maps, and data collection, entry and interpretation. Assisted in training of other field technicians.



CLAIRE PARRA, MS, AWB – STAFF ECOLOGIST

March 2015.

Client: ZARA Environmental
Contact: Rachel Barlow
Phone: (512) 217-2056

Vegetation surveys of Golden-cheeked warbler habitat at Balcones Canyonlands National Wildlife Refuge – Conducted vegetation surveys of federally endangered Golden-cheeked Warbler verified habitat to analyze the effects of prescribed burns on vegetation and ultimately the effect of prescribed burns on Golden-cheeked warbler territories, populations, and nesting success. Employed vegetation survey techniques such as measuring DBH of saplings and trees, average juniper and non-juniper height of saplings and trees, canopy cover, leaf litter and duff depth, percent ground cover, and species identification. June 2014.

Client: USFWS-Balcones Canyonlands National Wildlife Refuge, University of Missouri
Contact: Jennifer Reidy
Phone: (573) 808-1505

Golden-cheeked warbler surveys for the City of Austin – Conducted presence/absence and territory surveys for the federally-endangered Golden-cheeked Warbler to determine effectiveness of the Vickery method of surveying bird populations. Surveys involved point counts, nest-searching, territory mapping, and nest monitoring. Encompassed handheld GPS use, navigation with aerial maps, and data collection, entry and interpretation. March 2014.

Client: City of Austin
Contact: Lisa O'Donnell
Email: Lisa.ODonnell@austintexas.gov

Golden-cheeked warbler surveys at Balcones Canyonlands National Wildlife Refuge – Conducted presence/absence and territory surveys for the federally-endangered Golden-cheeked Warbler to analyze the effects of prescribed burns on territories, populations, and nesting success. Surveys involved resighting banded individuals, nest-searching, territory mapping, and nest monitoring. Encompassed handheld GPS use, navigation with aerial maps, and data collection, entry and interpretation. March 2013.

Client: USFWS, Balcones Canyonlands National Wildlife Refuge, University of Missouri
Contact: Jennifer Reidy
Phone: (573) 808-1505

NOT-TO-EXCEED FEE PROPOSAL

Cox|McLain Environmental Consulting (CMEC) submits the following not-to-exceed fee estimate based on the materials presented in the Request for Proposal (RFP) for Administration Professional Services; Texas General Land Office (GLO) Community Development Block Grant – Disaster Recovery (CDBG-DR) program released by the City of Gonzales (City) on July 22, 2020.

The fee is in accordance with the billing and profit rates previously submitted to the City.

The following fee estimate assumes that the proposed project would include new infrastructure (e.g., new concrete manholes), which would set the appropriate level of environmental review as an Environmental Assessment per current HUD guidance. Additionally, the fee assumes that the replacement of lines in the Gonzales Commercial Historic District would be within existing street right-of-way or easement and that the proposed lines would be installed within areas that were previously disturbed by utility installations. These construction assumptions would likely preclude the need for archeological survey (e.g., construction-phase monitoring). The fee also assumes that work outside of historic districts would be conducted in existing street or utility right-of-way or easements. This assumption would likely preclude the need for historic resource surveys.

The fee assumes compliance with HUD's 8-step process for actions in a floodplain/wetland, and it assumes that CMEC would prepare draft materials that would be published/distributed by the City.

City of Gonzales - CDBG-DR RFP													
PROVIDER NAME: Cox/McLain Environmental Consulting, Inc.													
TASK DESCRIPTION	PROJECT MANAGER	QA/QC REVIEWER	SR ENVL SCIENTIST II	SR ENVL SCIENTIST I	ENVL PROF II	ENVL PROF I	ENVL STAFF II	ENVL STAFF I	ENVL TECH I	ENVL TECH II	ADMIN/CLERICAL	LABOR HOURS & COSTS	
PRELIMINARY ENVIRONMENTAL CONSTRAINTS REVIEW													
Technical Memorandum and Constraints Map													
Historic Resources Desktop Research			2			6	4						12
Archaeological Resources Desktop Research				2		2	2						8
Water Resources Desktop Research						4		2					8
Ecological Resources Desktop Research			2			4		4					12
Draft and Final Constraints Map & Memo with Assessment of appropriate level of Environmental Documentation	4	4		2	4	2	4				2		26
HOURS SUB-TOTALS	4	4	4	4	4	18	10	6	10	0	2		66
CONTRACT RATE PER HOUR	\$159.60	\$84.00	\$142.80	\$123.20	\$112.00	\$98.00	\$75.60	\$67.20	\$56.00	\$51.80	\$50.40		
TOTAL LABOR COSTS	\$638.40	\$336.00	\$571.20	\$492.80	\$448.00	\$1,764.00	\$756.00	\$403.20	\$560.00	\$0.00	\$100.80		\$6,070.40
% DISTRIBUTION OF STAFFING	6.1%	6.1%	6.1%	6.1%	6.1%	27.3%	15.2%	9.1%	15.2%	0.0%	3.0%		
HUD EA and Supporting Documentation													
Informal Meetings and Project Communications													
Project Management, meetings, communications	2			12	8						16		38
Agency Coordination - In person meetings (not included)													0
Public involvement: distribution of documents for agency/public review (not included)													0
HUD EA and Supporting Documentation													
Environmental Review Record documentation													0
Archeology Background Study - THC Coordination Letter	1	2	2		8		6						19
Archeology Pedestrian Survey (not included)													0
Historic Resources - THC Coordination Letter	1	1	2		6		4						14
Historic Resources Reconnaissance Survey (not included)													0
Wetlands/Floodplains Assessment & Notifications	2	1		12	8		12		8				43
Geologic Assessment (not included)													0
Threatened/Endangered Species Habitat Assess. (state and federal)	2	1		12			12		10				37
Formal/Informal ESA Consultation with USFWS (not included)													0
Hazardous Sites Database Search and Analysis per HUD guidance	2	1	4			12			8				27
Socioeconomics/Environmental Justice	1	2	2		8			8	4				33
HUD Resource Analysis and Supporting Documentation	1	1				24		12	12				50
Comments and responses, coordination for Environmental Document	6	6		6	6		8	4	8				52
EA Finding - draft language; Request for Release of Funds support	3		4			4							11
HOURS SUB-TOTALS	21	15	14	42	44	36	46	24	54	12	16		324
CONTRACT RATE PER HOUR	\$159.60	\$84.00	\$142.80	\$123.20	\$112.00	\$98.00	\$75.60	\$67.20	\$56.00	\$51.80	\$50.40		
TOTAL LABOR COSTS	\$3,351.60	\$1,260.00	\$1,999.20	\$5,174.40	\$4,928.00	\$3,528.00	\$3,477.60	\$1,612.80	\$3,024.00	\$621.60	\$806.40		\$29,783.60
% DISTRIBUTION OF STAFFING	6%	5%	4%	13%	14%	11%	14%	7%	17%	4%	5%		
OTHER DIRECT EXPENSES (PHASE 1 ONLY)													
Lodging/Hotel	day/person		\$80.00										\$0.00
Lodging/Hotel Taxes/fees	day/person		\$20.00										\$0.00
Meals	day/person		\$41.00										\$0.00
Mileage	mile	800	\$0.575										\$460.00
Standard Postage	letter		\$0.49										\$0.00
Overnight Mail - letter size	each		\$25.00										\$0.00
Overnight Mail - oversized box	each		\$30.00										\$0.00
Courier Services	each		\$25.00										\$0.00
Photocopies BW (8 1/2" X 11")	each		\$0.10										\$0.00
Photocopies BW (11" X 17")	each		\$0.20										\$0.00
Photocopies Color (8 1/2" X 11")	each		\$0.50										\$0.00
Plots (BW on Bond)	square foot		\$0.50										\$0.00
Plots (Color on Bond)	square foot		\$1.00										\$0.00
Hazardous Materials Database Search	search	2	\$950.00										\$700.00
Geologic Assessment (not included)	report		\$3,000.00										\$0.00
Archeology Equipment - Backhoe Operator (not included)	day/person		\$1,500.00										\$0.00
CDs	each		\$1.50										\$0.00
SUBTOTAL DIRECT EXPENSES													\$1,160.00
SUMMARY													
PHASE I (EA) LABOR													\$29,783.60
EA NON-LABOR													\$1,160.00
SUBTOTAL PHASE I (EA)													\$30,943.60
SUBTOTAL CONSTRAINTS REVIEW													\$6,070.40
TOTAL PHASE 1 & 2													\$37,014.00

From: [Peters, Jennifer T](#)
To: [City Secretary](#)
Subject: Response to RFP for Environmental Services - GLO CDBG Funds
Date: Tuesday, August 4, 2020 1:04:20 PM
Attachments: [City of Gonzales - Terracon Proposal.pdf](#)

Ms. Gilbert,

Terracon's proposal to perform Environmental Services in response to a Texas General Land Office Community Development Block Grant – Disaster Recovery Program project is attached.

We appreciate the opportunity to submit. If you have any questions and/or require additional information please do not hesitate to contact me at any time.

Thank you for your time and consideration.

Jennifer Peters

Jennifer Trombley Peters
Environmental Planning Group Manager
Senior Associate

Terracon

6911 Blanco Road I San Antonio, Texas 78216

D (210) 907 7648 I M (210) 218 7010

jennifer.peters@terracon.com I terracon.com

TBPE Firm No. F-3272

Terracon provides environmental, facilities, geotechnical, and materials consulting engineering services delivered with responsiveness, resourcefulness, and reliability.

Private and confidential as detailed here (www.terracon.com/disclaimer). If you cannot access the hyperlink, please e-mail sender.



August 4, 2020

City of Gonzales
PO Box 547
820 St. Joseph Street
Gonzales, TX 78629

Attn: Kristi Gilbert
City Secretary

**RE: Proposal for Administrative Professional Services – Texas General Land Office
Community Development Block Grant Disaster Recovery Program**
City of Gonzales
Terracon Proposal No. P90207400

Dear Ms. Gilbert,

Terracon Consultants, Inc. (Terracon), an employee-owned firm, is excited to provide you this proposal to provide National Environmental Policy Act (NEPA) services associated with the funds provided by the Texas General Land Office (GLO) through the Community Development Block Grant Disaster Recovery Program (CDBG).

Our team has a strong background in performing environmental services associated with CDBG funds including documenting and preparing environmental reviews. We believe Terracon can bring the following benefits to the City of Gonzales:

- **Knowledge of GLO Environmental Requirements** – Terracon has recent, relevant experience in preparing Environmental Review Records (ERR) that are compliant with United States Housing and Urban Department, the federal agency that provides GLO their CDBG funds. Since 2016, Terracon has completed over 300 Categorical Exclusion Subject To 58.4 ERRs and 30 Environmental Assessments in compliance with 24 CFR Part 50 and 58.
- **Core Team of Subject Matter Experts** – Terracon has more than 100 environmental consultants engineers, geologists, and scientists within 75 miles of Gonzales. We know the area and the resources.
- **Actively Engaged Employee Owners** – Having a consulting firm that is employee owned is a distinct advantage; our employee owners are actively engaged, improving value to our clients while actively managing risk. We are a strong team of qualified professionals that understand we are here to serve our clients; when we provide quality service we continue to grow and provide opportunity for others.

Terracon Consultants, Inc. 6911 Blanco San Antonio, TX 78216
P 210-641-2112 F 210-641-2124 terracon.com



Environmental



Facilities



Geotechnical



Materials

Proposal for CDBG Program Environmental Services

City of Gonzales ■ Wastewater Line Installation/Replacement

August 4, 2020 ■ Terracon Proposal No. P90207400



Thank you for your consideration. We want to fully express our enthusiasm for assisting you on this project. We are confident that Terracon will provide the City of Gonzales with excellent service and look forward to working with you and your staff on this and future projects.

If you have any questions concerning this submittal, please reach out to Jennifer Peters at 210-907-7648, or via email at jennifer.peters@terracon.com

Sincerely,

Terracon Consultants, Inc.

A handwritten signature in blue ink, appearing to read "Lee Garrett", is positioned above the printed name and title of Lee Garrett, P.G.

Lee Garrett, P.G.

Senior Principal

Environmental Department Manager

Jennifer Trombley Peters

Senior Associate

Environmental Planning Group Manager

Attachments: Proposal

Certificate of Insurance

Statement of Conflicts of Interest

System for Award Management

Form CIQ

Certification Regarding Lobbying

Form 1295

Required Contract Provisions

Statement of Qualifications

COMPANY BACKGROUND

Founded in 1965, Terracon is a 100 percent employee-owned consulting engineering firm specializing in environmental, facilities, geotechnical and materials testing services. Terracon currently has 4,200 employees in 140 offices nationwide. The firm's success is further evidenced by a current ranking of 22 in Engineering News-Record's 2019 listing of the Top 500 Design Firms. Established in 1992, Terracon's San Antonio office currently employs 114 employees including 11 Professional Engineers and 4 Professional Geoscientists licensed in the State of Texas. Terracon prides itself on our commitment to further better our surrounding communities and support its continuous growth.

RELATED EXPERIENCE

Federal HUD process on hundreds of projects. Our team has performed comprehensive environmental services to assist with disaster recovery efforts (in particular related to the Hurricane Harvey recovery efforts). Our team's expertise includes performing environmental reviews as required in 24 CFR Part 58, which has included technical assistance, monitoring services, and quality control services.

Our team is led by Jennifer Peters, a Senior Environmental Project Manager with 19 years of experience which has included in-depth experience working and managing HUD National Environmental Policy Act (NEPA) related projects. She is supported by a team of experts who are committed to providing the responsive service the City of Gonzales requires.

Terracon has significant experience providing comprehensive environmental services to public and private clients throughout Texas. Services include:

- NEPA EA's & CE's compliance documentation
- Natural resources / wetlands delineation / mitigation
- Biological evaluations / threatened & endangered species assessments
- Cultural resources / archeology
- Noise surveys ASTM Environmental site assessments
- Asbestos / lead / mold / indoor air quality
- Soil and groundwater investigations
- Remediation design and implementation
- Brownfield/site redevelopment
- Industrial hygiene, health, and safety
- Regulatory compliance & permitting
- Environmental management systems
- Solid waste planning and design
- Historic preservation
- Environmental training

Last year, Terracon's Texas offices completed more than 5,000 environmental projects with fees in excess of \$31 Million. Many of these services are identical to those outlined in the RFQ and were provided under indefinite quantity contracts with public entities including Texas Facilities Commission, Texas Department of Transportation, Texas Parks & Wildlife, Texas Commission on Environmental Quality, Texas Railroad Commission, Lower Colorado River Authority (58 Texas Counties), Brazos River Authority (70 Texas Counties), The University of Texas System, etc.

CDBG EXPERIENCE

Terracon has developed a proven record in completing Environmental Review Records in accordance with HUD guidelines as specified in 24 CFR Part 58. In the past ten years, Terracon's staff have conducted hundreds of Environmental Reviews across the country. During the past five years, our Texas offices have prepared more than 200 Categorical Exclusions Subject to 58.5 checklists with appropriate attachments and more than 30 Environmental Assessments for flood control districts, housing authorities, cities, and private developers in Texas.

Terracon has demonstrated CDBG technical expertise and subject-matter experts including Section 404 USACE permitting and wetland delineation specialists, threatened and endangered species specialists, due diligence specialists and has prepared over 40 CDBG environmental related documents including Environmental Review Records, Cultural Desktop Reviews, Wetland Delineation and Toxic and Contamination Reports for sites in South, Central, and the coastal areas of Texas.

Terracon has prepared CDBG-DR associated ERRs for the Harris County Flood Control District. Since 2019, we have completed two EA's for stormwater detention basins within Harris County. These projects include the construction of a detention basin and re-establishment of waterways providing stormwater detention storage during high volume storm events to mitigate downstream flooding in a rapidly developing watershed. As part of the EA's Terracon prepared Threatened and Endangered Species Habitat Assessments, Desktop Cultural Resource Surveys, Wetland Delineations Phase I ESA, and documented the 8-step process.

TEAM MEMBERS

Terracon brings more than a decade of experience with environmental scientist that are well versed in local and regional issues. The Terracon team come from a variety of backgrounds related to practicing Environmental Assessment services, and therefore the team is able to provide compliance with federal, state and local laws, rules, and regulations, including: Clean Water Act, 31 TAC Part 10, Clean Air Act, Farmlands Protection, National Historic Preservation Act, Executive Orders 11988 and 11990. Additionally, Terracon has 28 years of experience providing environmental consulting services related to the research and preparation of Categorical Exclusions and Environmental Assessments documents in accordance with National Environmental Policy Act, US Army Corps of Engineers, Texas Water Development Board, Environmental Protection Agency, Department of Defense, Federal Highway Administration, Texas Department of Transportation, and Housing and Urban Development requirements for compliance. Our key staff who will be working on the EA include Jeremy Hanzlik, PE, Jennifer Peters, Beth Valenzuela, Victoria Pagano, RPA, and Tanner Jason. Their availability to work on this project as well as their resumes are below.

Capacity

Name	Role	Location	% of Time Available	% of Time Anticipated
Jeremy Hanzlik, PE	Quality Assurance	San Antonio	75%	10%
Jennifer Peters	Project Manager and NEPA Practitioner	San Antonio	75%	30%
Tanner Jason	Biological and Water Resources Subject Matter Expert	San Antonio	100%	30%
Beth Valenzuela	Historic Structures Subject Matter Expert	Austin	50%	15%
Victoria Pagano, RPA	Archeological Resources/Principal Investigator	Houston	60%	15%

Jeremy Hanzlik, P.E.

QA/QC

PROFESSIONAL EXPERIENCE

Mr. Hanzlik is National Director for Environmental Planning in the Terracon San Antonio office. Mr. Hanzlik works with interdisciplinary teams of engineers, scientists, and architects during planning, design and construction of projects in order to avoid and minimize impacts to the environment. He previously served as Environmental Manager for the \$500 million Bexar County Flood Control Capital Improvement Program and managed a four-year on-call environmental services contract with the City of San Antonio.

Mr. Hanzlik is a licensed engineer in the state of Texas whose experience includes preparation of watershed master plans, contributing zone plans, environmental impact statements, environmental assessments, environmental information documents, Phase I and Phase II environmental site assessments, environmental baseline studies, watershed and environmental modeling, environmental permitting, and geographic information system (GIS) analysis. He is responsible for project management, design, and report preparation. He is well versed in the NEPA process and USACE Section 404 permitting.

PROJECT EXPERIENCE

24-inch Waterline Environmental Information Document – Laredo, Texas

Project Manager for preparation of an environmental information document to support funding of a 24-inch diameter waterline to provide potable water service in Laredo, Texas. Developed the NEPA document including sub-reports such as cultural resource investigation, threatened and endangered species, waters of the U.S./wetlands, environmental justice, and other subjects required for Texas Water Development Board funding of the project.

Lake Lavon Mitigation Plan – Lavon Lake, Texas

Managed project and a certified arborist subconsultant to identify trees and canopy to be removed within a power line easement on U.S. Army Corps of Engineers (i.e., federal) property. Developed a proposed mitigation plan including planting specifications and valuation of trees to be removed. Negotiation included approximately \$130,000 in tree plantings for mitigation.

Bexar County Flood Control South Hausman Low Water Crossing – San Antonio, Texas. Project Manager; evaluated cultural resources and performed a geologic assessment of the project area in order to minimize and avoid impacts to geologic features and/or cultural resources during project design.

Bexar County Flood Control Low Water Crossing: Toutant Beauregard – Bexar County, Texas. Project Manager; project involved upgrades to two low water crossings including waters of the U.S./wetland delineation, cultural resources investigation, and T&E species habitat evaluation.

EDUCATION

M.S. Biological and Agricultural Engineering, Texas A&M University, College Station, Texas, 2003

B.S. Agricultural Engineering, Texas A&M University, College Station, Texas, 2000

B.S. Bioenvironmental Sciences Texas A&M University, College Station, Texas, 1997

REGISTRATION

Professional Engineer: Texas (Environmental) 2006, No: #98409

AFFILIATIONS

Air & Waste Management Association, Secretary, Jan 2011-Dec 2012, Chapter Chair Jan 2013- Dec 2014, Past Chair Jan 2015 – Present

WORK HISTORY

Terracon Consultants, Inc., Senior Environmental Engineer 2013-Present

AECOM Technical Services, Inc., Project Manager 2003 – 2013

Jennifer Peters

PROJECT MANAGER

PROFESSIONAL EXPERIENCE

Ms. Peters has over fifteen years of diverse professional experience specializing in environmental consulting, regulatory compliance and review, National Environmental Policy Act (NEPA) site investigation, technical writing, and site assessment. With additional experience in site remediation and emergency response. Jennifer's NEPA experience includes serving as a project manager, coordinator, and resource specialist specializing in water and hazardous material resources, and document author for Environmental Assessments and Categorical Exclusion documents for proposed actions including: programs, utility (water/wastewater, roadways), and facilities. Clients include municipal/local government agencies (cities and counties), U.S. Air Force (USAF), U.S. Postal Service (USPS), Veterans Affairs (VA) and utilities utilizing guidance and regulatory framework provided required by 40 CFR 1500, 32 CFR 989, 24 CFR 58, and 31 TAC. She has also developed and conducted compliance audits; storm water program management; development of Storm water Pollution Plans; development of Storm water Management Program; Spill Prevention, Controls, and Countermeasures Plan, field sampling techniques including groundwater monitoring and sampling, soil sampling, sediment sampling, surface water sampling, drum and waste sampling; environmental site investigation planning and implementation; remediation oversight; data management, data analysis, and technical report preparation; technical writing; implementation of health and safety programs environmental baseline survey (EBS) preparation.

PROJECT EXPERIENCE

City of San Antonio On-Call Environmental Record Review Contract.

Project manager for three year on-call contract with the City of San Antonio to provide on-call services to prepare HUD required NEPA documents, including Categorical Exclusions Subject to 58.5, Environmental Assessments, Noise Studies, Phase I ESAs, desktop archeological reviews, and consultation with State Historic Preservation Office.

San Antonio Housing Authority: Environmental Review Records including EA and CEST to 58.5 for Multifamily Housing Development and Commercial Properties. Project manager and prepared Environmental Assessment and CESTs ERR for properties or grants owned by the San Antonio Housing Authority. EA was prepared due to the use of CDBG funds and Tax Credits; commercial properties were to received Choice Funds. Environmental Review Records were prepared in accordance with 24 CFR Part 58, Environmental Review and 40 CFR Part 1500, the NEPA and 24 CFR Part 58 associated with CDBG and HOME funds.

SAWS: Environmental Information Document Pressure, San Antonio, Texas. Project manger and Subject matter expert for an Environmental Information Document to connect drinking water Drinking Water Revolving Fund which required compliance under the National Environmental Policy Act. Documented the baseline and analyzed the impacts associated with the project and prepared consultation documents.

EDUCATION

Bachelor of Science,
Geography, Texas A&M
University, 2000

CERTIFICATIONS

40-Hour HAZWOPER
Basic Wetland Delineation
Certification, Wetland Training
Institute; Houston, Texas

AFFILIATIONS

Air and Waste Management
Association, Alamo Chapter
(Board Member)

Society of American Military
Engineers – San Antonio
Chapter

WORK HISTORY

Terracon Consultants, Inc.,
Senior Scientist, 2016-Present

Ageiss, NEPA Specialist,
2015-2016

Stell Environmental, Project
Manager, 2012 - 2015

Tetra Tech, Environmental
Scientist, 2010 – 2012

Weston Solutions, Project
Scientist, 2003-2010

City of Lubbock,
Environmental Compliance
Specialist, 2002-2003

Weston Solutions, Assistant
Project Scientist, 2001-2002

Beth Valenzuela

SENIOR ARCHITECTURAL HISTORIAN

PROFESSIONAL EXPERIENCE

Ms. Valenzuela is an architectural historian in Terracon's Austin, Texas office. She has 20 years of professional experience in the field of preservation and historic architecture. She has supervised and participated in historic resources surveys, building documentation, archival research, and historic context development projects throughout the United States. She has worked with municipal governments, and state and federal agencies to identify, document, and provide National Register of Historic Places (NRHP) eligibility assessments for commercial, residential, governmental, industrial, rural resources and cultural landscapes. These projects have involved archival research using primary and secondary source materials at local, state, and national repositories, and condition assessments and field documentation using standardized field survey forms and digital and 35mm photography.

During her career she has managed a broad range of cultural resource projects. These projects have included the identification and assessment of resources dating mostly from the early nineteenth century to the mid-twentieth century and have encompassed utilitarian structures, rural landscapes, vernacular and high-style residential, commercial, and institutional buildings. Ms. Valenzuela meets the *Secretary of Interior Standards for Professional Qualifications* in Architecture, Historic Architecture, and Architectural History.

PROJECT EXPERIENCE

Historic Resources Survey for Watson Road – San Antonio, Texas

Architectural historian and report author for reconnaissance-level historic resources surveys according to Texas Department of Transportation (TxDOT) *Documentation Standards for Historic Resources Research Design and Survey Reports*. Project included preparation of a research design and approval by TxDOT prior to initiation of fieldwork. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for each identified resource.

Archival Research and Historic Background – Callahan County, Texas

Architectural historian for archival research and historical background development to support final NRHP eligibility evaluation of recorded archeological sites within the project area for a substation project for the Taylor Electric Cooperative.

Historic Resources Survey for Toutant-Beauregard Road – Bexar County, Texas

Project director and report author for a reconnaissance-level historic resources survey of parcels abutting a roadway widening project and subject to THC consultation and coordination under *Section 106*. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for identified resources.

Historic Resources Survey for Acme Road Multi-Family Site Development – Bexar County, Texas

Project director and report author for a reconnaissance-level historic resources survey for parcels impacted by a proposed multi-family residential development subject to THC consultation and coordination under *Section 106*. Completed field survey, mapping, digital photography, archival research, NRHP eligibility assessment and potential impacts analysis for identified resources.

Historic Resources Survey for Otto M. Locke, Jr. Nursery – New Braunfels, Comal County, Texas

Project director and report author for a reconnaissance-level historic resources survey for parcel proposed for redevelopment, subject to project review by the City.

EDUCATION

Masters of Architecture, Texas Tech University, 1998

CERTIFICATIONS

Section 4(f) Training, National Preservation Institute, 2019

Section 106 Training, National Preservation Institute, 2007

TxDOT Pre-certification, Categories 2.15.1 and 2.15.2, 2004/2019

PROFESSIONAL ACTIVITIES

District 2 Commissioner and Vice Chair, City of Austin Historic Landmark Commission, 2015-present

WORK HISTORY

Terracon Consultants, Inc., Senior Architectural Historian, 2018-Present

Valenzuela Preservation Studio, LLC Principal/Preservation Specialist, 2010-2018

Hardy-Heck-Moore, Inc., Preservation Specialist/Project Manager, 2003-2010

Volz & Associates, Inc., Architectural Intern, 2000-2003

Parshall + Associates, Architectural Intern, 1998-2000

PRESENTATIONS/PUBLISHED ARTICLES

"Tear Down or Treasure: A Case for Historic Preservation," presented at the Rio Grande Valley American Institute of Architects annual convention, September 2017.

"Architecture of Survival: A Brief History of Building Techniques of the Big Bend Region" presented at the *Southeast Chapter of the Society of Architectural Historians*, November 1998.

Victoria (Tori) Pagano, M.A., RPA

PRINCIPAL INVESTIGATOR

PROFESSIONAL EXPERIENCE

Victoria Pagano earned an A.S. in General Science, with a focus in Geology from Northwest Vista College, a B.A. in Anthropology from University of Texas San Antonio, and her M.A. in Anthropology at Texas State University. Her academic studies have focused in geoarchaeology—the intersection between Earth Sciences and Archaeology—with a specific interest in Texas prehistory and alluvial geomorphology. Victoria has over four years of experience, including working on academic and private sector projects across Texas and the Southwest. Victoria has a particular interest in the application of geographic information systems cartography and spatial analysis to archaeological problems. Currently she has taken a leading role in the organization and implementation of GNSS/GIS based digital field data collection for the Environmental department in San Antonio using ESRI software.

REPRESENTATIVE PROJECT EXPERIENCE

New Braunfels ISD — Comal County, Texas

Tori served as Project Archaeologist, leading a crew of two Terracon archaeologists for the cultural resource survey and mechanical trenching of approximately 70-acres. Additionally, she completed reporting, cartography, and analysis of the fieldwork for client deliverables.

Chacon Creek Sewer Interceptor Project — Webb County, Texas

Tori served as Project Archaeologist, leading a crew of two Terracon archaeologists for the cultural resource survey and mechanical trenching of approximately 1.10-mile linear alignment. Additionally, she completed reporting, cartography, and analysis of the fieldwork for client deliverables.

Buffalo Creek Interceptor Project—Rockwall & Kaufman Counties, Texas

In support of a Terracon Austin project, Tori served as the project geoarchaeologist for the mechanical prospection (backhoe trenching) of several trenches along a proposed 42,800-linear-foot sewer line for the North Texas Water Development Board.

South Laredo Wastewater Treatment Plant—Webb County, Texas

In compliance with the Antiquities Code of Texas, Tori carried out archaeological monitoring of ground disturbing activities associated with the installation of a new 1000-foot long wastewater effluent line in southern Laredo. Additionally, Tori assisted with providing support for data organization and reporting through ArcGIS.

McKinney Street Widening Project — Denton County, Texas

Tori served as Project Archaeologist, leading a crew of two Terracon archaeologists for the cultural resource survey of and approximately 3.2-mile linear alignment. Additionally, she completed reporting, cartography, and analysis of the fieldwork for client deliverables.

EDUCATION

M.A. in Anthropology, Texas State University – San Marcos 2019

B.A. in Anthropology, University of Texas San Antonio – San Antonio 2014

A.S. in General Science, Northwest Vista College – San Antonio 2012

OFFICE LOCATION

6911 Blanco Road, San Antonio, Texas 78216

AFFILIATIONS

Texas Archeological Society (TAS)
Member 2015-Present

Council of Texas Archeologists (CTA)
Member 2016-Present

Geological Society of America (GSA)
Member 2019

Society for American Archaeology (SAA)
Member 2016-Present

Southern Texas Archaeological Association (STAA)
Member 2018-Present

WORK HISTORY

Terracon Consultants, Inc.,
Archaeologist, July 2, 2018 – Present

Alamo Colleges
Adjunct Faculty, August 31, 2019 – Present

Ancient Southwest Texas Project, Texas State University, January 2015- December 2018

Stone Point Services, Contract Archaeologist, July 2017- July 2018

Center for Archaeological Studies, Texas State University, Lab Technician, January 2017- July 2018

SWCA, Cultural Resources Technician, February 2018- May 2018

Tanner Jason

NATURAL RESOURCES SUBJECT MATER EXPERT

PROFESSIONAL EXPERIENCE

Mr. Jason is a Senior Staff Scientist in Terracon's San Antonio, Texas office with more than four years of experience. His current responsibilities including: creating GIS exhibits, wetland delineation, waters of the US field work, iPac report preparation, soil data forms, development of environmental impact statements, and natural/cultural resource site investigations. He has experience providing pre-construction site inspections, creating erosion and sediment control maps and conducting construction SWPPP inspections.

PROJECT EXPERIENCE

Jurisdictional Waters Evaluation - Webb County, Texas

Conducted a preliminary jurisdictional delineation (PJD) for a site that consisted of approximately 42.39-acre tract and 10-acre tract of undeveloped wooded land. Prepared Preliminary Jurisdiction Delineation report in accordance with the USACE Regulatory Guidance Letter (RGL 07-01) and referenced 1966 NRCS Soil Survey, topographic quadrangle maps to gather information regarding the vegetation, hydrology, and soils within the project area.

Federally Listed Threatened and Endangered Species Assessment - Kleberg County, Texas

Conducted a federally listed threatened and endangered species assessment, for the proposed construction of a 315-foot, self-supported communication tower located off of County Road (CR) 2300 in Riviera, Kleberg County, Texas.

Jurisdictional Waters Evaluation and Permit and Threatened and Endangered Species Assessment – South Padre Island, Texas.

Conducted a Threatened and Endangered Species Habitat Assessment, conducted a Waters of the United States Delineation, and assisted with preparing a Nationwide Permit Pre-Construction Notification, permit number 14. Permit was submitted to USACE Galveston District. Site including a 4.5 acre site located on South Padre Island.

Hidden Valley Dam Replacement NWP 14 – Wimberly, TX

Mr. Tanner Jason conducted a preliminary jurisdictional determination (PJD) of potential waters of the United States (U.S.) for an approximately 200-foot-long, approximately 30-foot-wide dam replacement crossing the Blanco River located in Wimberley, Hays County, Texas. Report writing: JD, GIS exhibit building, photo log, and soil data forms.

Toutant Beauregard LWC LC-34 – San Antonio, TX

Mr. Tanner Jason conducted a preliminary jurisdictional determination (PJD) of potential waters of the United States (U.S.) to construct improvements to Toutant Beauregard Road for two low water crossings. Report writing: JD, GIS exhibit building, photo log, and soil data forms.

EDUCATION

Bachelor of Science,
Environmental Science,
University of Texas at San
Antonio, 2014

CERTIFICATIONS

OSHA 40 Hour HAZWOPER
Training

OSHA 30 Hour Construction
Safety

Hydrogen Sulfide Awareness
Training

Basic Wetland Delineation
Training (WTI)

WORK HISTORY

Terracon Consultants, Inc.,
Staff Scientist, February 2015-
Present

Scope of Services

The proposed project location is noted in Figure 1 below. The proposed project includes replacing seven segments with 15 or 6 inch polyvinyl chloride (PVC) wastewater lines, and installation of associated manholes. All work will be completed within an existing right-of-way (ROW) and upon installation the lines will be tested and then the trenches backfilled. Due to the requirement to aggregate projects (24 CFR 58.32), the seven segments must be analyzed as one project since the segments are parts of a holistic contemplated action. In addition, the project should require an Environmental Assessment since it is assumed that the new lines will increase capacity; however, if the lines are similar size and no new areas are to be serviced, then the project could be considered Categorical Excluded per 24 CFR Part 58.35. If this is the case, or if you have additional useful information, please inform us as soon as possible.

Environmental Assessment

The GLO has received funds from HUD, and as such projects utilizing such funds must be in accordance with the National Environmental Policy Act and 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities. Terracon will complete the ERR - Environmental Assessment (including the ERR Summary Sheet and Compliance Checklist documents) utilizing HUDs template to address the compliance factors.



Compliance Factors analyzed will include:

- Statutes, Executive Orders, and Regulations per 24 CFR §50.4 and 58.6
 - Airport Runway Clear Zones and Clear Zones Disclosures
 - Flood Disaster Protection
- Statutes, Executive Orders, and Regulations per 24 CFR § 50.4 and 58.5

- Clean Air
- Contamination and Toxic Substances (ESA)
- Endangered Species Act/Fish and Wildlife
- Explosive and Flammable
- Farmland Protection
- Floodplain Management
- Historic Preservation
- Noise Abatement and Control
- Sole Source Aquifers/ Safe Drinking Water/Water Quality
- Wetland Protection
- Environmental Justice
- Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]
 - Land Development
 - Socioeconomic
 - Community Facilities and Services
 - Natural Features

The proposed fee for this project assumes that no additional studies or consultations are required beyond the Desktop Cultural Resources Review, letter consultations with federally recognized tribes, and the Texas Historical Commission (THC). Terracon will utilize the previous environmental reports (if available) and environmental closure documents. Based upon the site location, a noise, threatened and endangered species habitat, or waters of the United States survey should not be required. If the THC requires either a historical structures or archaeological study, Terracon will provide a proposal for the additional work.

Desktop Cultural Resources Review

A desktop cultural resources review is proposed to identify previously recorded cultural resources within the project's Area of Potential Effects (APE). Research and identification of previously recorded archaeological and historic resources and previous investigations thereof would be performed and could be used to initiate review/consultation with the State Historic Preservation Officer (SHPO), as well as other appropriate consulting parties. The ensuing short report would include discussion of resources within and near the proposed APE, describe environmental parameters that could affect the presence and preservation of unrecorded cultural resources within the APE, and provide recommendations on further work. Work associated with identification of unrecorded properties, formal testing, or data recovery is not included in this Scope of Services. A site visit is not included and will not be conducted for the purpose of this cultural resource review. Should a regulatory agency require work beyond a desktop review, an additional proposal and scope of work would be produced at the client's request.

Notice of Finding of No Significant Impact and Request for Release of Funds

A Notice of Finding of No Significant Impact and Release of Funds (FONSI/RoF) will be provided to client for review and approval prior to publication. Given the unknown cost of public notification

in the Gonzales Inquirer, the cost to publish are not included within this proposal. Public involvement is part of the NEPA process; however, the extent of public involvement during the development of the EA is at the discretion and direction of the state and federal agency. The publication will be published one weekday, in the legal section.

Phase I ESA Services

For projects that require an Environmental Assessment, a Phase I Environmental Site Assessment is recommended per HUD guidance. The ESAs will be performed consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Assessment Process*. The purpose of the ESAs is to assist the client in developing information to identify recognized environmental conditions (RECs - as defined below) in connection with the site as reflected by the scope of this proposal.

ASTM E1527-13 contains a new definition of "migrate/migration," which refers to "the movement of hazardous substances or petroleum products in any form, including, for example, solid and liquid at the surface or subsurface, and vapor in the subsurface." By including this explicit reference to migration in ASTM E1527-13, the standard clarifies that the potential for vapor migration should be addressed as part of a Phase I ESA and will be considered by Terracon in evaluation of RECs associated with the sites. If modifications to the scope of services are required, please contact us to discuss proposal revisions.

REC Definition

Recognized environmental conditions are defined by ASTM E1527-13 as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment, or 3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions."

Physical Setting

The physical setting for the sites will be described based on a review of the applicable USGS topographic quadrangle map, USDA soil survey, and selected geologic reference information.

Historical Use Information

A review of selected historical sources, where reasonably ascertainable and readily available, will be conducted in an attempt to document obvious past land use of the sites and adjoining properties back to 1940 or when the site was initially developed, whichever is earlier. The following selected references, depending on applicability and likely usefulness, will be reviewed for the sites.

- Historical topographic maps
- Aerial photographs (approximate 10 to 15 year intervals)
- City directories (approximate 5 year intervals)
- Fire (Sanborn) insurance maps
- Property tax file information

- Site title search information, if provided by client
- Environmental liens, if provided by client
- Building department records
- Zoning records
- Prior environmental reports, permits and registrations; or geotechnical reports, if provided by the client

Pursuant to ASTM E1527-13, the client should engage a title company or title professional to undertake a review of reasonably ascertainable recorded land title records (or judicial records where appropriate) for environmental liens and activity and use limitations currently recorded against or relating to the sites. If the client is unable to provide land title records (or judicial records where appropriate), an abstract firm may be contracted by Terracon to perform a review of land title records (or judicial records where appropriate) for an additional fee. Documentation of environmental liens and activity and use limitations, if recorded, will be provided in the land title records (or judicial records where appropriate). Note, however, unless specifically requested within three days of project commencement, Terracon will rely on the client to provide land title records (or judicial records where appropriate). **If land title records (or judicial records where appropriate) are not provided for review in a timely manner, Terracon may conclude that the absence of records represents a data gap, which must be evaluated and documented in the final report.**

The client and the current owner or their representative will be interviewed to provide information regarding past uses of the site and information pertaining to the use of hazardous substances and petroleum products on the sites. Additionally, a reasonable attempt will be made to interview past owners, operators, and occupants of the sites to the extent that they are identified within the scope of the ESA and are likely to have material information that is not duplicative of information already obtained through the assessment process.

Regulatory Records Review

Consistent with ASTM E1527-13, outlined below are the following federal, state, and tribal databases, where applicable that are typically reviewed for indications of RECs, and the approximate minimum search distance of the review from the nearest property boundary. A database firm will be subcontracted to access governmental records used in this portion of the assessments. Additional federal, state, and local databases may be reviewed if provided by the database firm. Determining the location of unmapped facilities is beyond the scope of this assessment.

Governmental Records	Search Distance
Federal NPL Site List	1.0 mile
Federal NPL (Delisted) Site List	0.5 mile
Federal CERCLIS Site List	0.5 mile
Federal CERCLIS NFRAP Site List	0.5 mile
Federal RCRA Corrective Actions (CORRACTS) TSD Facilities List	1.0 mile
Federal RCRA Non-CORRACTS TSD Facilities List	0.5 mile
Federal RCRA Generators List	Site and Adjoining
Federal Institutional Control/Engineering Control Registries	Site Only
Federal ERNS List	Site Only
State and Tribal-Equivalent NPL Site Lists	1.0 mile

Governmental Records	Search Distance
State and Tribal-Equivalent CERCLIS Lists	0.5 mile
State and Tribal Landfill and/or Solid Waste Disposal Site Lists	0.5 mile
State and Tribal Leaking UST Lists	0.5 mile
State and Tribal Registered UST Lists	Site and Adjoining
State and Tribal Institutional Control/Engineering Control Registries	Site Only
State and Tribal VCP Site Lists	0.5 mile
State and Tribal Brownfield Site Lists	0.5 mile

Tribal databases will only be evaluated if the site is located in an area where a recognized tribe has jurisdiction for environmental affairs.

In addition to the database review, and if customary practice for the site location, an attempt will be made to review reasonably ascertainable and useful local lists or records such as Brownfield sites, landfill/solid waste disposal sites, registered storage tanks, land records, emergency release reports, and contaminated public wells. A reasonable attempt will also be made to interview at least one staff member of any one of the following types of local government agencies: fire department, health agency, planning department, building department, or environmental department. As an alternative, a written request for information may be submitted to the local agencies.

The scope of work proposed herein includes **up to two hours of regulatory agency file and/or records review, including client-provided reports and files per site**. If the results of this initial review appear to warrant a more extensive review of applicable regulatory agency files and/or records, a cost estimate will be provided to the client for pre-approval. Review of regulatory files and/or records, when authorized, will be for the purpose of identifying RECs. Please note that all requested files may not be available from regulatory agencies within the client's requested project schedule.

Site and Adjoining/Surrounding Property Reconnaissance

A site reconnaissance will be conducted at each site to identify RECs. The reconnaissance will consist of visual observations of the sites from the site boundaries and selected interior portions of the site. The site reconnaissance will include, where applicable, an interview with site personnel who the client has identified as having knowledge of the uses and physical characteristics of the sites. Pertinent observations from the site reconnaissance will be documented including:

- Site description
- General site operations
- Aboveground chemical or waste storage
- Visible underground chemical or waste storage, drainage, or collection systems
- Electrical transformers
- Obvious releases of hazardous substances or petroleum products

The adjoining property reconnaissance will consist of visual observations of the adjoining/surrounding properties from the site boundaries and accessible public rights-of-way.

Report Preparation

PDF-formatted copies of the final reports will be submitted that presents the results of the assessments, based upon the scope of services and limitations described herein. The final reports will be signed by an environmental professional responsible for the Phase I ESA, and the reports will contain an environmental professional statement as required by 40 CFR 312.21(d).

Schedule

Typical report deliverable schedules are projected from the date Terracon receives authorization to proceed. The timeliness of the Environmental Assessment may also be subject to regulatory requirements specifying the sequencing of submittals to various agencies (and other stakeholder groups such as certified local governments) as well as variations in time allowed for stakeholders to respond. Typical completion times for an Environmental Assessment are nine weeks.

Regulatory agencies, such as THC, have 30 days to respond to our requests, and may take longer for final designation if additional information/ surveys are required. It is anticipated THC responses will be included with our draft reports. However, Terracon understands that the THC consultation may be pending at the time the draft is provided. To ensure compliance with 24 CFR 50 and National Historic Preservation Act, Section 106, Terracon will provide information stating that the consultation is pending and based upon the proposed action cultural resources should not be impacted. Final confirmation following all THC correspondence will be included in our final reports.

Reliance

The reports will be prepared for the exclusive use and reliance of the City of Gonzales, GLO, and HUD.

If the client is aware of additional parties that will require reliance on the reports, the names, addresses, and relationship of these parties should be provided for Terracon approval prior to the time of authorization to proceed. Terracon may grant reliance on the reports to those approved parties upon receipt of a fully executed Reliance Agreement (available upon request) and receipt of information requested in the Reliance Agreement. If, in the future, the client and Terracon consent to reliance on the reports by a third party, Terracon may grant reliance upon receipt of a fully executed Reliance Agreement, requested information and receipt of an additional minimum fee of \$250 per relying party.

Reliance on the reports by the client and all authorized parties will be subject to the terms, conditions, and limitations in the Agreement for Services (to be determined), proposals, any Reliance Agreement, and the reports.

Scope and Report Limitations

The findings and conclusions presented in the final reports will be based on the site's current utilization, the anticipated future use of the sites, and the information collected as discussed in this proposal. Please note that we do not warrant database or third-party information (such as from interviewees) or regulatory agency information used in the compilation of reports.

Phase I ESAs, are of limited scope, are noninvasive, and cannot eliminate the potential that hazardous, toxic, or petroleum substances are present or have been released at the site beyond what is identified by the limited scope of the ESAs. In conducting the limited scope of services

described herein, certain sources of information and public records will not be reviewed. It should be recognized that environmental concerns may be documented in public records that are not reviewed. The ESAs do not include subsurface or other invasive assessments, vapor intrusion assessments or indoor air quality assessments (i.e. evaluation of the presence of vapors within a building structure), business environmental risk evaluations, or other services not particularly identified and discussed herein. No ESA can wholly eliminate uncertainty regarding the potential for RECs. The limitations herein must be considered when the user of this report formulates opinions as to risks associated with the sites. No warranties, express or implied, are intended or made.

An evaluation of significant data gaps will be based on the information available at the time of report issuance, and an evaluation of information received after the report issuance date may result in an alteration of our opinions and conclusions. We have no obligation to provide information obtained or discovered by us after the date of the reports, or to perform any additional services, regardless of whether the information would affect any conclusions, recommendations, or opinions in the reports. This disclaimer specifically applies to any information that has not been provided by the client.

Cost

Compensation shall be on **lump sum basis** summarized in the following table. Our fee assumes award of all locations and both tasks and contains a volume discount for such. Invoicing will be conducted upon submittal of final deliverables.

Task	Fee
Environmental Assessment	\$4,780
Desktop Cultural Report	\$800
Phase I ESA	\$2,090
FONSI Publication	Cost
Profit	15%
Total Fee	\$7,671 (excluding publication)

The stated fees are valid only for ninety (90) days after the date of this proposal. Once initiated, should completion of the proposed Scope of Services be delayed by the client for a period exceeding 4 months, additional charges may apply. Additional services requested or approved by the client, such as consultation or other work that is not specifically included in the Scope of Services described in this proposal, will be performed on a time and materials basis for an additional fee based on a not-to-exceed budget. The lump sum fee is based on the assumptions and conditions provided at the time of the proposal. If these assumptions are not valid or regulatory requirements change, there will be additional charges.

Required Forms



CERTIFICATE OF LIABILITY INSURANCE

1/1/2021

DATE (MM/DD/YYYY)

12/20/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000	CONTACT NAME: PHONE (A/C, No. Ext): E-MAIL ADDRESS:		FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED 1312891 TERRACON CONSULTANTS, INC. 10841 S. RIDGEVIEW ROAD OLATHE KS 66061	INSURER A: Lexington Insurance Company		19437
	INSURER B: Travelers Property Casualty Co of America		25674
	INSURER C: The Travelers Indemnity Company		25658
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES TERCO01 **CERTIFICATE NUMBER:** 13881552 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTRACTUAL LIAB <input checked="" type="checkbox"/> XCU COVERAGE GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	N	N	TC2J-GLSA-1118L293	1/1/2020	1/1/2021	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	TC2J-CAP-131J3858	1/1/2020	1/1/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	N	N	ZUP-91M46583 (EXCLUDES PROF. LIAB.)	1/1/2020	1/1/2021	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX
B C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	TC2J-UB-6N32541-0 (AOS) TRK-UB-6N32384-6 (AZ,MA,WI)	1/1/2020 1/1/2020	1/1/2021 1/1/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	PROFESSIONAL LIABILITY	N	N	26030216	1/1/2020	1/1/2021	\$1,000,000 EACH CLAIM & \$1,000,000 ANNUAL AGGREGATE

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

PROOF OF COVERAGE. THE UMBRELLA LIABILITY IS FOLLOW FORM OVER THE GENERAL LIABILITY, AUTO LIABILITY, AND EMPLOYER'S LIABILITY PER THE POLICY TERMS, CONDITIONS, AND EXCLUSIONS.

CERTIFICATE HOLDER

13881552
SPECIMEN

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Joseph M. Agnello

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No Conflict of Interest

SAM Search Results
List of records matching your search for :

Record Status: Active
DUNS Number: 879018141

ENTITY	TERRACON CONSULTANTS, INC.	Status: Active
DUNS: 879018141	+4:	CAGE Code: 1PLT2 DoDAAC:
Expiration Date: 03/11/2021	Has Active Exclusion?: No	Debt Subject to Offset?: No
Address: 6911 Blanco Rd		
City: San Antonio	State/Province: TEXAS	
ZIP Code: 78216-6164	Country: UNITED STATES	

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

Terracon Consultants, Inc.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

N/A

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?


☐ Yes

☐ No

N/A

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity

8/3/2020

Date

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, Terracon Consultants, Inc. certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.



Signature of Contractor's Authorized Official

Vice President / Regional Manager

Printed Name and Title of Contractor's Authorized Official

8/3/2020

Date

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2020-652397

Date Filed:
08/03/2020

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Terracon Consultants Inc.
San Antonio, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Gonzales

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

RFP-CDBGDR
Environmental Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Anderson , Tim	Tempe, AZ United States	X	
	Covert, Michael	Olathe , KS United States	X	
	Cobb, Harold	Houston, TX United States	X	
	Pavlicek, Robert	Raleigh, NC United States	X	
	O'Grady, Michael	Olathe , KS United States	X	
	Packer , Gayle	Olathe, KS United States	X	

5 Check only if there is NO Interested Party.



6 UNSWORN DECLARATION

My name is Chuck A. Gregory, and my date of birth is 8/24/1959.

My address is 6911 Blanco (street), San Antonio (city), TX (state), 78216 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bexar County, State of Texas, on the 3 day of August, 2020.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)

REQUIRED CONTRACT PROVISIONS

2 CFR 200.326 Contract provisions. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

All Contracts

THRESHOLD	PROVISION	CITATION
>\$150,000 (Simplified Acquisition Threshold)	Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.	2 CFR 200 APPENDIX II (A)
>\$10,000	All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.	2 CFR 200 APPENDIX II (B)
None	Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.	2 CFR 200 APPENDIX II (F)
None	Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.	2 CFR 200 APPENDIX II (H)
None	Records of non-Federal entities. The U.S. Department of Housing and Urban Development (HUD), Inspectors General, the Comptroller General of the United States, the Texas General Land Office (GLO), and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.	2 CFR 200.336
None	Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:	2 CFR 200.333

	<p>(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.</p> <p>(b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.</p> <p>(c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.</p> <p>(d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.</p> <p>(e) Records for program income transactions after the period of performance. In some cases, recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.</p> <p>(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).</p> <p>(1) If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.</p> <p>(2) If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.</p>	
None	<p>Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.</p> <p>(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.</p> <p>(b) Affirmative steps must include:</p> <p>(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;</p> <p>(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;</p> <p>(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;</p>	2 CFR 200.321

	<p>(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;</p> <p>(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and</p> <p>(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.</p>	
None	<p>Verification No Boycott Israel. As required by Chapter 2270, Government Code, CONTRACTOR hereby verifies that it does not boycott Israel and will not boycott Israel through the term of this Agreement. For purposes of this verification, "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.</p>	<p>Texas Government Code 2270.002</p>
None	<p>Foreign Terrorist Organizations. Pursuant to Chapter 2252, Texas Government Code, [Company] represents and certifies that, at the time of execution of this Agreement neither [Company], nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code, or Subchapter F of Chapter 2252 of the Texas Government Code, or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term "foreign terrorist organization" in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.</p>	<p>Texas Government Code 2252.152</p>
Option Contract Language for contracts awarded prior to Grant Award	<p>The contract award is contingent upon the receipt of CDBG-MIT funds. If no such funds are awarded, the contract shall terminate.</p>	<p>Optional</p>

EO Clause for Construction Contracts > \$10K including administration & engineering contracts associated with construction contracts

THRESHOLD	PROVISION	CITATION
>\$10,000	<p>Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60–1.3 must include the equal opportunity clause provided under 41 CFR 60–1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964–1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”</p> <p>41 CFR 60-1.4 Equal opportunity clause.</p> <p>(b) Federally assisted construction contracts. (1) Except as otherwise provided, each administering agency shall require the inclusion of the following language as a condition of any grant, contract, loan, insurance, or guarantee involving federally assisted construction which is not exempt from the requirements of the equal opportunity clause:</p> <p>The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:</p> <p>During the performance of this contract, the contractor agrees as follows:</p> <p>(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:</p> <p>Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.</p> <p>(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.</p> <p>(3) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to</p>	<p>41 CFR §60-1.4(b) and 2 CFR 200 APPENDIX II (C)</p>

	<p>individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.</p> <p>(4) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.</p> <p>(5) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.</p> <p>(6) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.</p> <p>(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.</p> <p>(8) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:</p> <p>Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.</p> <p>The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.</p> <p>The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules,</p>	
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	<p>regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.</p> <p>The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.</p> <p>(c) Subcontracts. Each nonexempt prime contractor or subcontractor shall include the equal opportunity clause in each of its nonexempt subcontracts.</p> <p>(d) Inclusion of the equal opportunity clause by reference. The equal opportunity clause may be included by reference in all Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes, and such other contracts and subcontracts as the Director of OFCCP may designate.</p> <p>(e) Incorporation by operation of the order. By operation of the order, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by the order and the regulations in this part to include such a clause whether or not it is physically incorporated in such contracts and whether or not the contract between the agency and the contractor is written.</p> <p>(f) Adaptation of language. Such necessary changes in language may be made in the equal opportunity clause as shall be appropriate to identify properly the parties and their undertakings.</p> <p>[80 FR 54975, Sept. 11, 2015]</p>	
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THRESHOLD	PROVISION	CITATION
>\$2,000	<p><i>Compliance with the Davis-Bacon Act (40 U.S.C. 3141 et seq.) as supplemented by Department of Labor regulations (29 CFR part 5) and with the Copeland “Anti-Kickback” Act (18 U.S.C. 874; 40 U.S.C. 3145) as supplemented in Department of Labor regulations (29 CFR part 3):</i></p> <p>Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.</p>	2 CFR 200 APPENDIX II (D)
>\$100,000	<p>Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.</p>	2 CFR 200 APPENDIX II (E)
>\$150,000	<p>Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).</p>	2 CFR 200 APPENDIX II (G)
>\$100,000	<p>Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or</p>	2 CFR 200 APPENDIX II (I) and 24 CFR §570.303

	<p>employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.</p>	
>\$100,000	<p>All Section 3 covered contracts shall include the following clause (referred to as the Section 3 clause):</p> <p>A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.</p> <p>B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.</p> <p>C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.</p> <p>D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.</p> <p>E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.</p> <p>F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.</p> <p>G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i)</p>	24 CFR §135.38

	<p>preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).</p>	
	<p>A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.</p> <p>[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]</p>	<p>2 CFR 200 APPENDIX II (J)</p>
	<p>Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.</p>	<p>42 U.S.C. 6201</p>

From: [David Benton](#)
To: [City Secretary](#)
Cc: [Dave Hennen](#)
Subject: RFP for CDBG-DR Environmental Services - ProSource Technologies Submittal
Date: Tuesday, August 4, 2020 1:35:13 PM
Attachments: [ProSource Proposal to the City of Gonzales - RFP for CDBG-DR Environmental Services.pdf](#)

Good afternoon,

Please note, this is a re-submittal, as the previous email did not go through on my end. If for any reason you receive two emails from ProSource Technologies, you can disregard the previous email and use this submittal.

On behalf of David Hennen, Director of Environmental Services for ProSource Technologies, attached is our submission for the City of Gonzales RFP regarding CDBG-DR Environmental Services.

Dave Benton | Proposal Manager
ProSource Technologies, LLC | dbenton@prosourcetech.com
763.786.1445 | cell 763.242.4205 | fax 763.786.1030

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Proposal Presented to:

City of Gonzales

RFP: CDBG-DR Environmental Services

August 4, 2020

Prepared by:
David Hennen
Director of Environmental Services
ProSource Technologies, LLC
888.422.4449
dhennen@prosourcetech.com

ProSource

ProSource

August 4, 2020

Kristi Gilbert
City Secretary
City of Gonzales, Texas
820 St. Joseph Street
Gonzales, TX 78629

RE: RFP for CDBG-DR Environmental Services

Dear Ms. Gilbert:

ProSource Technologies, LLC (ProSource) is pleased to submit this proposal to the City of Gonzales (the City) to provide comprehensive Environmental Services for the City's Community Development Block Grant Disaster Recovery (CDBG-DR) Program (Program).

Established in 1997, ProSource is a national, turnkey acquisition and disaster recovery firm comprised of seasoned experts well versed in the CDBG-DR Programs, U.S. Department of Housing and Urban Development/Federal Emergency Management Agency (HUD/FEMA), National Environmental Policy Act (NEPA), and Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act) requirements. Over the last decade, ProSource, on behalf of its clients, has disbursed more than \$650 million in Federal, State, and local funds for disaster-related environmental, rehabilitation, reconstruction, elevation, mortgage assistance, business recovery, acquisition, buyout, and relocation programs.

Significant Disaster Recovery Experience

The ProSource Team has been committed to several disaster recovery programs to date. ProSource has gone "all in" to assist in expeditiously providing relief to disaster survivors. Some examples include:

- Prepared and managed thousands of Tier I and Tier II Environmental Assessments.
- Coordinated agency consultations for environmental and cultural approvals.
- Managed hundreds of asbestos and lead assessments for disaster recovery projects.
- Conducted and managed Phase I and Phase II Environmental Site Assessments (ESAs) for hurricane and flood projects.
- Hired and trained 450+ case management staff in less than 12 weeks for the NY Rising Housing Recovery Assistance Program.
- Collected 19,000+ applications for NY Rising Housing Recovery Assistance Program.
- ProSource assisted with opening 11 offices on Long Island, NY to facilitate the application intake process, while creating meeting locations convenient to the impacted residents.
- Hired and trained 75 case management staff for the Iowa flood of 2008.
- Collected 8,000+ applications for Iowa's Federal and State Recovery Programs.
- Established an operational New York office to kick-start the Oakwood Beach Buyout Program in less than one week after signing the contract with the State of New York.

Mr. David Hennen has more than 20 years of experience in environmental consulting and will serve as the CDBG-DR Director of Environmental Services. Mr. Hennen provided environmental management services for many Hurricane Sandy and City of Cedar Rapids disaster recovery related projects. He has delivered oversight and support to hundreds of ProSource and sub consultant environmental professionals during disaster recovery projects. Mr. Hennen works as ProSource's Director of Environmental Services and Health and Safety Officer, and specializes in the management of projects associated with disaster recovery, environmental assessments, wetland delineations, threatened and endangered resource surveys, Phase I and Phase II environmental site assessments, regulated waste inspections, pre-demolition surveys, demolition activities and acquiring regulatory and environmental permits.

Supporting Mr. Hennen will be a team of experienced environmental scientists, as well as hand selected subcontractors ProSource has worked with on a number of projects in the past. ProSource is confident our team is the most qualified applicant to successfully support the City with the scope of services requested in the RFP.

We thank you for the opportunity to share our disaster recovery experience. Should you have any questions, please contact me at 888.422.4449 or via email at dhennen@prosourcecotech.com.

Sincerely,



David Hennen
Director of Environmental Services
ProSource Technologies, LLC

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1. Scope of Services

- i. **Review each project description to ascertain and/or verify the level of environmental review required: Exempt, Categorical Exclusion not Subject to 58.5, Categorical Exclusion Subject to 58.5, Environmental Assessment, and Environmental Impact Statements;**

ProSource can comply with this request. We offer significant environmental experience specific to disaster recovery, including:

- National Environmental Policy Act
- Tier 1 and Tier 2 Environmental Reviews
- Asbestos and Lead Inspections
- Wetland Delineations
- Phase I and II Environmental Site Assessments
- Biological and Cultural Surveys
- Environmental Oversight
- Pre-demolition Inspections
- Inspection Coordination
- Biological and Cultural Surveys

ProSource's Environmental Project Manager, David Hennen, has more than 20 years in environmental services and can assist with each of the requirements listed above. Our environmental expertise has been utilized on countless disaster recovery projects in areas such as:

- Staten Island/Long Island, New York, CDBG/HMGP Disaster Recovery Environmental Services
- Staten Island/Long Island, New York, Phase I and Phase II Environmental Site Assessments (ESA)
- New York Rising Housing Recovery and Elevation Program/Interim Mortgage Assistance Program
- City of Cedar Rapids, Phase I & II ESA Reviews
- City of Cedar Rapids, Environmental Management
- City of Cedar Rapids, Flood-Related Acquisition/Relocation
- City of Cedar Rapids, Flood Documentation Services
- Flood Mitigation, Fargo Diversion Authority—North Dakota and Minnesota
- Flood Mitigation, Flood Acquisition, Appraisal, Relocation—Devils Lake, North Dakota
- Disaster Planning and Recovery Business Response Plan—City of Austin, Texas

- ii. **If necessary, conduct tiered environmental review and submit broad and site-specific environmental reviews as required by 24 CFR Part 58.**

ProSource has the process knowledge necessary to provide NEPA-related support in developing and maintaining the required ERR described in 24 CFR Part 58. We have completed hundreds of Tier I and Tier II Programmatic Environmental Assessments (PEAs) for other disaster recovery projects and can utilize this institutional knowledge to prepare and review project specific PEAs in accordance with 24 CFR Part 58.

iii. Prepare, complete and submit HUD required forms for environmental review and provide all documentation to support environmental findings;

ProSource can work with the City to develop the required program documents including Agency Programmatic Agreements (APA) as needed for funding programs. ProSource can also work with the City to prepare and develop NEPA documents, including consultation, and response letters, tribal consultations, State Historic Preservation Office (SHPO) communications and approvals, and other related data collection and program documentation as needed in accordance with 24 CFR Part 58 and any other environmental requirements.

iv. Consult and coordinate with oversight/regulatory agencies to facilitate environmental clearance;

Consultation with local, State, and Federal regulatory agencies is a key component of the environmental review process. ProSource has consulted with numerous local, State, and Federal regulatory agencies, including:

- U.S. Fish and Wildlife Service (USFWS)
- National Oceanographic and Atmospheric Administration (NOAA)
- U.S. Environmental Protection Agency (EPA)
- United States Army Corps of Engineers (USACE)
- State Historic Preservation Office (SHPO)

ProSource is also experienced in responding to agency comments on environmental review documents. In consulting with the many regulatory agencies, one of the key aspects is to start agency consultation as early as possible, and to include all potential programs in requests for early programmatic consultation to minimize the amount of an agency's time needed to respond to consultation letters and establish a general process for review by each agency. Furthermore, in developing relationships with local, State, and Federal regulatory agencies, ProSource has learned phone calls and meetings with agencies accomplish more than formal letters and emails.

v. Be able to perform or contract special studies, additional assessments, or permitting to secure environmental clearance. These may include, but are not limited to biological assessments, wetland delineations, asbestos surveys, lead-based paint assessments, archeology studies, architectural reviews, Phase I & II ESAs, USACE permits, etc.;

ProSource's Environmental Project Manager, David Hennen, has more than 20 years in environmental services and can assist with environmental reviews. We have the process knowledge necessary to provide NEPA-related support in developing and maintaining the required ERR described in 24 CFR Part 58. ProSource has completed hundreds of Tier I Programmatic Environmental Assessments and Tier II site-specific environmental assessments for other disaster recovery projects and can utilize this institutional knowledge to prepare and review project environmental assessments in accordance with 24 CFR Part 58.

Supporting ProSource is the following list of expert subcontractors:

- **Rivers Consulting**—Rivers Consulting, Inc. is a Women Business Enterprise (WBE) established in 2014 with a focus on environmental regulatory compliance; primarily associated with the NEPA. Rivers Consulting has worked with ProSource in the past, providing substantial NEPA Tier II experience during disaster recovery in the State of New York.
- **Braun Intertec**—Jennifer Wolf of Braun Intertec has close to three decades of experience in environmental consulting. She worked with ProSource during The State of New York's disaster recovery program, providing NEPA Tier II services.
- **The 106 Group**—Serving as ProSource's Cultural Resource Consultant, The 106 Group is a leader in cultural resources planning and management. 106 provides technical expertise in the fields of archaeology, ethnography, history, GIS & GPS, Section 106, and other preservation laws and processes, as well as both tribal and general public consultation and mediation. The 106 Group provided cultural resource reviews to ProSource for the Tier II environmental assessments associated with the State of New York disaster recovery programs.

vi. Prepare all responses to comments received during comment phase of the environmental review, including State/Federal Agency requiring further studies and/or comments from public or private entities during public comment period;

ProSource can work with the City to prepare and develop NEPA documents, including consultation, and response letters, tribal consultations, State Historic Preservation Office (SHPO) communications and approvals, and other related data collection and program documentation as needed in accordance with 24 CFR Part 58 and any other environmental requirements.

vii. Maintain close coordination with local officials, project engineer and other members of the project team to assure appropriate level of environmental review is performed and no work is conducted without authorization;

ProSource's Environmental Project Manager, David Hennen, will maintain coordination with necessary parties to ensure environmental reviews are conducted accurately.

viii. Complete and submit the environmental review into GLO's system of record;

ProSource is experienced in utilizing project databases for disaster recovery projects related to Hurricane Sandy and the flooding in the City of Cedar Rapids, Iowa.

ix. At least one site visit to project location and completion of a field observation report;

The ProSource Team has conducted hundreds of site visits related to disaster recovery projects and will provide staff to expeditiously provide site visits for the City's projects.

- x. Prepare and submit for publication all public notices including, but not limited to the Notice of Finding of No Significant Impact (FONSI), Request for Release of Funds floodplain/wetland early and final notices in required order and sequence;**

ProSource will ensure all legal notices are sent to the appropriate interested stakeholders by utilizing team members who have experience with publishing legal notices for the environmental review documents. In working closely with the newspapers of record, ProSource is able to have the proof of publication of Finding of No Significant Impact/Notice of Intent to Request a Release of Funds (FONSI/NOIRROF) sent electronically so they can easily be included in the Request Release of Funds (RROF) and the authorization to use grant funds can be obtained from HUD.

- xi. Provide documentation of clearance for Parties Known to be Interested as required by 24 CFR 58.43;**

ProSource can comply with this request.

- xii. Process environmental review and clearance in accordance with NEPA;**

ProSource has environmental related disaster recovery experience to provide NEPA-related support necessary to develop and maintain the required Environmental Review Record.

- xiii. Advise and complete environmental re-evaluations per 24 CFR 58.47 when evidence of further clearance or assessment is required;**

ProSource can comply with this request.

- xiv. Prepare and submit Monthly Status Report; and**

ProSource agrees to prepare and submit monthly status reports.

- xv. Participate in regularly scheduled progress meetings.**

ProSource agrees to participate in regularly scheduled progress meetings.

2. Statement of Qualifications

- A brief history of the service provider, including general background, knowledge of and experience working with relevant agencies and programs;

ProSource will apply its capabilities, dedication and experience to administer disaster recovery environmental services funded by Federal and State governments to those affected. These programs will deliver the assistance individuals and communities need to recover.

Environmental review services begin with Program definition and development and include all environmental reviews, supervisory, quality assurance, financial management and control, activity tracking, and reporting needed to implement successful disaster recovery programs, and continue through Program close-out and final audit.

Established in 1997, ProSource is a professional consulting firm specializing in disaster and emergency management recovery, right of way/site acquisition, relocation and environmental services. These services demand a working knowledge and thorough understanding of the ever-evolving technical and regulatory issues, as well as the rules, policies and procedures involving the stringent requirements of City, County, Federal and State funding programs including the: HUD, CDBG-DR Programs, FEMA, HMGP, NEPA, Uniform Act, Robert T. Stafford Act, PKEMRA, SRIA, CDBG-DR/HUD/FEMA 19-Point Demolition Checklist, U.S. Army Corps of Engineers (USACE), U.S. Department of Agriculture (USDA), and multiple State, County, City and Economic Development Agencies.

CDBG-DR Services

- | | |
|---|-----------------------------------|
| • National Environmental Policy Act | • Biological and Cultural Surveys |
| • Tier 1 and Tier 2 Environmental Reviews | • Environmental Oversight |
| • Asbestos and Lead Inspections | • Pre-demolition Inspections |
| • Wetland Delineations | • Inspection Coordination |
| • Phase I and II Environmental Site Assessments | • Biological and Cultural Surveys |

Our company professionals include Disaster Recovery Management Subject Matter Experts, NEPA Environmental Scientists, Environmental Engineers, Geologists, GIS Technicians, Drafters and Database/IT Specialists. The vast majority of ProSource's disaster recovery staff are hired from the local communities.

ProSource has established the skill sets needed for the required services, and train local employees to assist in bringing relief to those affected by the disaster. In our experience, having neighbors help neighbors recover not only brings the requisite empathy to our projects but also helps keep the Federal and State relief dollars in the local communities, further stimulating economic recovery locally. ProSource uses its experience and capability to develop and implement guidelines, tracking systems, monitoring standards and reporting procedures that the City can rely upon to fulfill its disaster recovery program administration needs. ProSource's proven success in servicing its clients is founded on our ability to meet all applicable regulatory guidelines and Program requirements, as well as ensuring a sound methodology and approach.

Subcontractors

ProSource will utilize three subcontractors for environmental aspects of the project. These subcontractors include:

- **Rivers Consulting**—Rivers Consulting, Inc. is a Women Business Enterprise (WBE) established in 2014 with a focus on environmental regulatory compliance; primarily associated with the NEPA. Rivers Consulting has worked with ProSource in the past, providing substantial NEPA Tier II experience during disaster recovery in the State of New York.
- **Braun Intertec**—Jennifer Wolf of Braun Intertec has close to three decades of experience in environmental consulting. She worked with ProSource during The State of New York's disaster recovery program, providing NEPA Tier II services.
- **The 106 Group**—Serving as ProSource's Cultural Resource Consultant, The 106 Group is a leader in cultural resources planning and management. 106 provides technical expertise in the fields of archaeology, ethnography, history, GIS & GPS, Section 106, and other preservation laws and processes, as well as both tribal and general public consultation and mediation. The 106 Group provided cultural resource reviews to ProSource for the Tier II environmental assessments associated with the State of New York disaster recovery programs.

Environmental Review Services

ProSource has combined our experienced environmental team with our partners' vast environmental resources. Staff from Braun Intertec and Rivers Consulting were part of the ProSource Team during the hurricane recovery in New York. The environmental team has developed successful working relationships with numerous regulatory agencies involved in the project, which facilitate the smooth implementation of the environmental processes. The ProSource environmental team is highly qualified to prepare environmental documentation and assessments for the programs managed directly by the City and provide environmental review services on behalf of the City for sub-recipient environmental documentation.

Regulatory Relationships

The ProSource environmental team has developed successful working relationships with numerous regulatory agencies and has consulted with numerous local, State, and Federal regulatory agencies, including:

- Department of Natural Resources (DNR)
- U.S. Environmental Protection Agency (EPA)
- United States Army Corps of Engineers (USACE)

ProSource is also experienced in responding to agency comments on environmental review documents. Furthermore, in developing relationships with local, State, and Federal regulatory agencies, ProSource has learned phone calls and meetings with agencies accomplish more than formal letters and emails.

- **Related experience in applying for and managing federally-funded local projects, in particular recent experience;**

ProSource has managed environmental reviews and assessments for previous disaster recovery projects. ProSource has also been conducting Phase I and II Environmental Site Assessments and Remediation Activities for more than 20 years for a variety of projects and clients. Specific examples of our experience in these projects are presented below.

State of New York

Staten Island/Long Island, New York, CDBG/HMGP Disaster Recovery

Environmental Services

2014—David Hennen

- Provided environmental services to help individuals, families and their communities recover and rebuild after the devastating impacts of Tropical Storm Lee, Hurricane Irene and Hurricane Sandy.
- Assessed environmental characteristics.
- Identified sensitive water resources, such as aquifers or coastal protection areas.
- Reviewed wetland and tideland maps.
- Analyzed biologically unique or regulated natural resources.
- Property evaluations uncovered environmental-related issues (e.g., fuel storage tanks, historical spills and regulatory actions), and followed the guidelines of the American Society for Testing and Materials.
- Phase I ESA Standard E1527 and EPA's "All Appropriate Inquiries" Rule.
- Additional environmental services for this project included compliance with the NEPA and HUD's implementing regulations entitled *Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities* (24 CFR 58).
- Provided the NEPA-related and State Environmental Quality Review support necessary to develop and maintain the required Environmental Review Record, including the preparation and review of thousands of Tier I and Tier II environmental assessments.

Staten Island/Long Island, New York, Phase II Environmental Site Assessments

2014—David Hennen

- Provided services to complete the Phase II Environmental Site Assessments.
- Provided Project Management services.
- Determined soil and groundwater sample locations.
- Managed environmental geotechnical drilling.
- Conducted soil and groundwater sampling.
- Interpreted lab analysis results.
- Prepared the Phase II ESA Report.

City of Cedar Rapids

As-Needed Phase I and II Environmental Assessment Review

2016—David Hennen and Richard Anderson

- Phase I Environmental Site Assessment Review
- Phase II Environmental Site Assessment Review

- Provided Recommendations

Phase I and Phase II ESAs Reviews and Coordination as Part of Flood-Related Disaster Recovery Effort

2014—David Hennen

- Reviewed approximately 130 Phase I & Phase II ESA reports, for properties that were purchased for demolition by the City of Cedar Rapids.
- Reviewed the database search within the report.
- Provided comments on the recommendations stated in the report.
- Communicated with the acquisition agents and the City staff regarding Phase I and Phase II ESA report results.

City of Minneapolis

Phase II ESA—2nd Street North Sanitary Sewer Replacement Project

2019—David Hennen and Richard Anderson

- Preparation of a Phase II ESA work plan.
- Review City of Minneapolis project plans.
- Obtain City of Minneapolis permits.
- Preparation of a Health and Safety Plan.
- Identification of soil probe locations.
- Collection of soil, ground water and soil vapor samples.
- Preparation of a Phase II ESA report and Construction Contingency Plan.

Phase II ESA and Construction Support—North Loop Street Reconstruction Project

2018—David Hennen and Richard Anderson

- Preparation of a Phase II ESA work plan.
- Review City of Minneapolis project plans.
- Obtain City of Minneapolis permits.
- Preparation of a Health and Safety Plan.
- Identification of soil probe locations.
- Collection of soil, ground water and soil vapor samples.
- Preparation of a Phase II ESA report and Construction Contingency Plan
- Construction Support

Phase I, Phase II ESA, and Construction Support—61st Street West Reconstruction

2017—David Hennen and Richard Anderson

- Conducted a Phase I ESA field visit.
- Review of environmental database and MPCA files.
- Preparation of a Phase I ESA report.
- Coordination of a Phase II ESA work plan.
- Review City of Minneapolis project plans.
- Obtain City of Minneapolis permits.
- Preparation of a Health and Safety Plan.
- Identification of soil probe locations.

- Collection of soil, ground water and soil vapor samples.
- Preparation of a Phase II ESA report and Construction Contingency Plan
- Construction Support

City of Columbia Heights

Environmental Supervision for the Identification, Management and Handling of Potentially Contaminated Soil

2015—David Hennen and Richard Anderson

- Waste Management (fluid disposal, contractor management, disposal management, etc.)
- Response Action Plans
- Construction Contingency Plans
- Site Safety Plans
- Analytical Testing and Interpretation

Montana—Dakota Utilities

Phase I and Phase II Environmental Site Assessment, Williston, ND

2015—David Hennen

- Phase I Environmental Site Assessment
 - Field Investigation and Report Preparation
 - Phase II Environmental Site Assessment
 - Site Safety Plans
 - Environmental Soil Borings
 - Analytical Testing and Interpretation
- **A description of work performance and experience with CDBG, CDBG Disaster Recovery, FEMA Hazard Mitigation or similar projects including a list of at least three references from past local government clients, with information describing the relevancy of the previous performance;**

ProSource has enjoyed successful working relationships with a number of states and municipalities over the previous two decades regarding disaster recovery work, specifically in environmental services. Examples of these strong relationships and successful projects are presented below.

Hurricane Sandy, Hurricane Irene and Tropical Storm Lee—New York

Hurricane Sandy hit New Jersey on October 29, 2012. It did \$71.5 billion in economic damage, according to the National Hurricane Center. It had been a Category 3 storm, but downgraded to a tropical storm by the time it made landfall. The storm surge hit a 600-mile stretch of the Eastern Seaboard damaging or demolishing at least 650,000 homes, and eight million customers lost power. Storm surges were massive: 8 ½ feet higher than normal at Sandy Hook, New Jersey and 12 ½ feet at Kings Point, Long Island. Even before hitting land, Hurricane Sandy was the largest tropical storm in the Atlantic, reaching 900 miles in diameter. This system, combined with the 150-mph winds of the jet stream, pushed the monster north toward Pennsylvania and New York State.

Staten Island/Long Island, New York, CDBG/HMGP Disaster Recovery Environmental Services

ProSource provided environmental services to help individuals, families and their communities recover and rebuild after the devastating impacts of Tropical Storm Lee, Hurricane Irene and Hurricane Sandy. Our environmental specialists assessed environmental characteristics; identified sensitive water resources, such as aquifers or coastal protection areas; reviewed wetland and tideland maps; and analyzed biologically unique or regulated natural resources. Property evaluations uncovered environmental-related issues (e.g., fuel storage tanks, historical spills and regulatory actions), and followed the guidelines of the American Society for Testing and Materials Phase I ESA Standard E1527 and EPA's "All Appropriate Inquiries" Rule. Additional environmental services for this project included compliance with the NEPA and HUD's implementing regulations entitled Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities (24 CFR 58). Additionally, ProSource and its project partners provided the NEPA-related and State Environmental Quality Review support necessary to develop and maintain the required Environmental Review Record, including the preparation and review of thousands of Tier I and Tier II environmental assessments.

Staten Island/Long Island, New York, Phase II Environmental Site Assessments

ProSource also provided services to complete the Phase II Environmental Site Assessments. These services included project management, determined soil and groundwater sample locations, managed environmental geotechnical drilling, conducted soil and groundwater sampling, interpreted lab analysis results and prepared the Phase II ESA Report.

Environmental Services for the State of New York

1. Preparation and/or revision of Tier I Programmatic Environmental Assessments (PEA's) for the State of New York Department of Homes and Community Renewal (DHCR) under the New York State Community Development Block Grant Disaster Recovery (CDBG-DR) Program funded through the U.S. Department of Housing and Urban Development's (HUD) CDBG-DR Program. These Tier 1 PEAs covered the 1-4 and 5+ residential units and Bulkhead replacement and/or repair and damage repair and/or replacement reimbursement programs and were prepared for all affected counties.
2. Assistance in developing the processes and tools to meet evolving CDBG-DR Program requirements relative to environmental evaluations. This included processes related to the review of each project description to make determinations on the proper level of environmental review.
3. Assistance to Federal and State of New York management staff with routing, status, tracking, and generation of through-put/work process metrics to enhance and direct work processes to maximize effectiveness and efficiency of all phases of task assignments.
4. Performance of environmental reviews of thousands of Tier II applications to the State of New York DHCR under the New York State CDBG-DR funded through the HUD CDBG-DR Program. These reviews included:
 - a) Evaluation of the proposed or completed disaster recovery activities;
 - b) Comprehensive review of the environmental baseline information for the specific location;
 - c) Assessment of historic properties considerations;
 - d) Other applicable regulatory and permitting considerations – as identified, and;

- e) Compilation of information and completion of transmittal cover checklists into an address application Tier 2 review package, including completing a technical accuracy review for transmittal to DHCR for review and processing.
5. Senior technical/management QA/QC and consistency reviews of thousands of Tier 2 review packages for completion, technical accuracy, consistency, program requirements, and critical path actions needed prior to transmittal to DHCR for review and processing.
6. Performance of wetlands delineation and associated permit requirement assessment recommendations for transmittal to DHCR for review and processing.
7. Assistance in the population and maintenance of the Access Database used that covered all applications for funds.

New York Rising Housing Recovery and Elevation Program/Interim Mortgage Assistance Program

Beginning in 2013, ProSource worked with the State of New York to collect and process over 19,000 applicants as part of the CDBG-DR New York Rising Housing Recovery Program. ProSource often issued more money to applicants on a daily basis under the programs ProSource administered than other similar non-ProSource administered programs in total. ProSource exceeded the HUD auditors' expectations, and our production and delivery rates topped the other consultant delivery capabilities. ProSource swiftly responded to this disaster relief effort by establishing Program offices across the State and supplied more than 450+ trained case management staff. Among other valuable services, ProSource worked with the NYS Housing Trust Fund Corporation's (HTFC's) Office of Community Renewal (OCR) and the Governor's Office of Storm Recovery (GOSR) to:

- Establish program policies and procedures
- Publicize the program and communicate the benefits available
- Explain the eligibility criteria to owners through individual intake meetings
- Calculate DOB and awards
- Coordinate the repair and rebuild process
- Compliance and conformity auditing
- Prepare the application and supporting documents
- Evaluate and remedy environmental and health risks
- Participate in public meetings in storm-damaged communities
- Establish a call center
- Prevent fraud, waste and abuse
- Disburse payments

ProSource's proven capacity to deliver high quality services to those in need and its ability to continue doing so yields unmatched value to the State and members of the affected communities.

Moreover, ProSource's business model includes bringing its subject matter experts (SME) to the impacted communities. The vast majority of our disaster recovery staff were then recruited from the local communities. ProSource has identified the skill sets needed for the required services and trains local employees to assist in bringing relief to disaster survivors.

New York State, New York Rising Buyout and Acquisition Program

ProSource supported 1,600 assignments from the State of New York for acquisition and buyout through offices in Staten Island, Farmingdale and Riverhead following the devastating damage of Hurricane Irene, Tropical Storm Lee and Hurricane Sandy. Our rapid deployment of qualified

staff enabled us to provide timely administration and planning, application processing, contract management, award verification, acquisition, relocation, environmental, auditing, reporting, data management and demolition services. The local integrated support of our team was instrumental in assisting eligible applicants with rebuilding their place of residence and communities.

Cedar Rapids, Iowa Floods

When the Cedar River crested to a record 31.1 feet in 2008, and flooded 10 square miles (covering 1,100 blocks or 14% of Cedar Rapids, Iowa), the City reached out to ProSource to work with government officials to create the framework for a major disaster relief program and implement the program.

City of Cedar Rapids, Phase I & II ESA Reviews

- Review approximately 130 Phase I & II ESA reports
- Review the database search within the report
- Provide comments on the recommendations stated in the report on a spreadsheet that is regularly updated and sent to the City
- Communication with the Case Managers and the City staff regarding Phase I & Phase II report results

City of Cedar Rapids, Environmental Management

- Management of thousands of asbestos and lead paint inspection for homes and businesses.
- Review and submittal environmental inspection reports local and state agencies.
- Consultation with agencies for environmental inspection approvals.

City of Cedar Rapids, Flood-Related Acquisition/Relocation

ProSource provided administration of the City's Federal CDBG-DR Programs, the Iowa Finance Authority recovery funding (IFA) and City Local Option Sales Tax funding (LOST) Programs. ProSource worked with the City to:

- Process 8,512 residential, industrial and commercial property applications
- Distribute over \$285,000,000 in fee acquisition, relocation and various flood recovery services
- Title reports including field title investigations
- Legal document preparation
- Review of legal descriptions/landowner property sketches
- Documentation/database management services
- Landowner file preparation
- Right of entry permissions
- Management/oversight of legal land surveys
- Appraisal and comparable sales analysis
- Environmental management/oversight of Phase I and II ESAs
- Acquisition and Uniform Act Relocation services
- Loan mediation and title defect clearance
- Closing services
- Financial audit management/oversight
- Housing rehabilitation, monitoring and compliance

- Business assistance management, monitoring and compliance

City of Cedar Rapids, CDBG-DR Flood-Related Acquisition and Relocation

- Turnkey acquisition for 1,400 parcels
- Residential/business tenant Uniform Act relocation services
- Training/management/oversight of sub consultant for supporting acquisition/relocation services
- Title coordination
- Closing coordination
- Assistance/coordination with clearing title defects
- Database/document management
- Project quality assurance

City of Cedar Rapids, Flood Documentation Services

ProSource developed a comprehensive method and administered the process to accurately report the requirements for approximately 1,230 severely flood-affected structures in accordance with FEMA's Debris Management Program and the 404 Hazard Mitigation Program. Our team accomplished its goal of obtaining consent responses from 95% of the property owners, two months prior to the end of an aggressive completion schedule. Tasks included:

- Obtain Right of Entry and hold harmless agreements
- Verify and document property ownership
- Verify and document property description (legal description)
- Verify and document property owners insurance coverage
- Notify lien holders in writing of intent to demolish

City of Cedar Rapids, Business Assistance Program

- Third-party administration of Business Assistance Programs
- DOB and eligibility verification
- File processing
- Gather business payroll information to calculate low-to moderate income (LMI)
- Calculate and verify LMI for over 2,200 applicants
- Database and document management
- File review and auditing

City of Cedar Rapids, Flood-Related HMGP Acquisition and Relocation

- Turnkey acquisition for 120 parcels
- Coordinate DOB meetings with landowners and FEMA
- Closing of property purchases
- Clearance of title defects
- Address mid-stream program changes
- Interaction with Jumpstart and the Iowa Department of Economic Development (IDED) offices to verify DOB and Replacement Housing Assistance (RHA) benefits
- Residential tenant relocation
- Title coordination

- Database/document management
- Project quality assurance

City of Cedar Rapids, LOST Rental Rehabilitation Program

- Third-party administration of reimbursement for rehabilitation of 450 residential rental properties
- Coordination of property inspections
- Coordination of lead and asbestos inspections and clearance testing
- Verification of receipts for reimbursement
- Processing of lien documents
- Verify property ownership and program eligibility
- Coordinate DOB meetings with landowners
- Database management
- Attend stakeholder meetings
- Coordinate DOB with Jumpstart programs
- Project quality assurance

City of Cedar Rapids, Jumpstart Rental Rehabilitation Program

- Third-party administration of rehabilitation of 550 residential rental properties
- Coordination of property inspections
- Coordination of lead and asbestos inspections and clearance testing
- Verification of receipts for reimbursement
- Processing of lien documents
- Verify property ownership and program eligibility
- Coordinate DOB meetings with landowners
- Database management
- Attend stakeholder meetings
- Address mid-stream program policy changes
- Project quality assurance

Flood Mitigation, Fargo Diversion Authority—North Dakota and Minnesota

The Fargo-Moorhead Metropolitan area is prone to flooding, costing the region millions of dollars every year. The Diversion Project will establish a permanent flood-protection measure for the region. Currently, ProSource is providing acquisition and relocation services to the Fargo (ND) and Moorhead (MN) Diversion Authority, working with the USACE and local engineering firms designing a 32-mile diversionary channel, water retention areas and ring levees, covering 8,054 acres, to protect against future flooding. Services included:

- Fee title and permanent easement acquisitions for up to 1,500 commercial, residential and agricultural parcels, in order to build a 32-mile diversion channel to protect the Fargo/Moorhead Metropolitan Area
- Full property appraisals for parcels under the buyout program
- Uniform Act Relocation services
- Title research
- Closing coordination

- Database/document management
- Project quality assurance

Flood Mitigation, Flood Acquisition, Appraisal, Relocation—Devils Lake, North Dakota

In June 2010, Devils Lake rose to a record elevation of 1,452.05 feet above mean sea level (AMSL) and it continues to rise. At 1,458 feet amsl it reaches spill level, which it has reached only twice in the past 4,000 years. At its record elevation in June 2010, Devils Lake covered about 182,240 acres. An increase of 138,010 acres or 215 square miles from 1993. The water body has grown more than six times in volume.

Surrounding communities and cities are threatened and plans continually evolve to deal with the flood impacts of Devils Lake.

ProSource assisted the City of Devils Lake with appraisals, title, land acquisition, and relocations necessary to build an embankment to protect the Devils Lake community. The ProSource Team worked closely with the City, community and the USACE throughout the project.

ProSource provided the following mitigation services:

- Fee title and permanent easement acquisitions for 70+ parcels, in order to build a floodwall to protect the City of Devils Lake
- Full property appraisals for 70+ parcels under the buyout program
- Relocation services as needed
- Title research
- Closing coordination
- Database/document management
- Project quality assurance

Disaster Planning and Recovery Business Response Plan—City of Austin, Texas

Community Assessment

- Reviewed Austin's existing disaster planning and preparedness plans and procedures to understand the local threats, partners, and policies for response and recovery.
- Assessed Austin's current resources—human, infrastructure, financial, physical, and natural—and the state of resiliency of each.
- Identified with assistance from City staff essential business community stakeholders and key business leaders to be engaged.

Created Business Recovery Plan and Procedures

- Developed the City's first Business Recovery Plan that included a communication plan for media and social networking outlets during an event.
- Integrated the new Business Recovery Plan with the City's existing Recovery Plan and made recommendations, as requested, to Office of Homeland Security and Emergency Management (HSEM) and Economic Development Department (EDD) on best practices and process improvements in existing recovery plan.

- Included national best practices in business response and recovery tailored to the contractor's expertise and knowledge of the Austin community.

Outreach and Education

- Conducted a minimum of four training workshops and/or forums for diverse business interests to increase knowledge of emergency planning, response, resiliency and leadership during an event.
- Assisted City and regional partners with recruiting workshop/forum participants of up to 150 businesses.
- Provided participants with practical information on existing community resources available to local businesses at little or no cost to assist with business continuity planning and workforce readiness.
- Trained staff and provide handouts and presentations so that the City and neighboring jurisdictions, at the City's discretion, may host future workshops/forums.

Business Community Engagement

- Tailored outreach to specific industries that are uniquely involved in disaster response, such as utilities, insurance and financial.
- Made recommendations, based on industry expertise and knowledge of Austin community, the most replicable ways to involve key business community leaders (major employers including utilities, banks, insurance, transportation) in disaster preparedness, response and resiliency and associated recommended ideal funding, staffing, training, etc.
- Solicited feedback from business community leaders on the most effective means to engage businesses on resiliency and disaster recovery on an ongoing basis.

References

City of Cedar Rapids

Doug Wilson, Program Manager
319.286.5141
d.wilson@cedar-rapids.org

ProSource has been conducting as-needed Phase I and Phase II Environmental Assessment Reviews as part of flood-related disaster recovery efforts since 2014. This is an ongoing relationship.

City of Minneapolis

Chris DeDene, Pavement Engineer/Material Labs Manager
612.673.2823
Chris.dedene@minneapolismn.gov

ProSource has conducted a number of Phase I and Phase II ESA projects for the city. Our relationship with the city began in 2017 and is ongoing.

Montana-Dakota Utilities Co.

Andy McDonald, Environmental Specialist III
701.222.7941
Andy.mcdonald@mdu.com

ProSource has conducted Phase I and Phase II Environmental Site Assessment projects beginning in 2014. The relationship is ongoing.

Enbridge Energy Company

Mike Harris, Manager, Land and Service

218.729.0177

Mike.harris@enbridge.com

ProSource provided Phase I ESAs, Phase II ESAs, Pre-demolition Surveys, Asbestos Inspections, and Demolition Oversight from 2006-2013.

HBI Companies

Ryan Hank, President

763.242.4384

ryan@hbicompanies.com

ProSource has provided Phase I ESA services since 2018. This is an ongoing relationship.

- **Describe which specific parts of the Scope of Work the service provider proposes to perform;**

ProSource and its subcontractors are equipped to handle each aspect of the Scope of Work. ProSource has completed hundreds of Tier I Programmatic Environmental Assessments and Tier II site-specific environmental assessments for other disaster recovery projects and can utilize this institutional knowledge to prepare and review project environmental assessments in accordance with 24 CRF Part 58. For added support, ProSource has recruited the list of subcontractors below:

- **Rivers Consulting**—Rivers Consulting, Inc. is a Women Business Enterprise (WBE) established in 2014 with a focus on environmental regulatory compliance; primarily associated with the NEPA. Rivers Consulting has worked with ProSource in the past, providing substantial NEPA Tier II experience during disaster recovery in the State of New York.
- **Braun Intertec**—Jennifer Wolf of Braun Intertec has close to three decades of experience in environmental consulting. She worked with ProSource during The State of New York's disaster recovery program, providing NEPA Tier II services.
- **The 106 Group**—Serving as ProSource's Cultural Resource Consultant, The 106 Group is a leader in cultural resources planning and management. 106 provides technical expertise in the fields of archaeology, ethnography, history, GIS & GPS, Section 106, and other preservation laws and processes, as well as both tribal and general public consultation and mediation. The 106 Group provided cultural resource reviews to ProSource for the Tier II environmental assessments associated with the State of New York disaster recovery programs.

- Describe the capacity to perform the chosen Scope of Work activities as well as resumes of all employees who may be assigned to provide services if your firm is selected, identifying current employees and proposed hires; and

ProSource's Environmental Project Manager, David Hennen, has more than 20 years in environmental services and can assist with environmental reviews. We have the process knowledge necessary to provide NEPA-related support in developing and maintaining the required ERR described in 24 CFR Part 58. ProSource has completed hundreds of Tier I Programmatic Environmental Assessments and Tier II site-specific environmental assessments for other disaster recovery projects and can utilize this institutional knowledge to prepare and review project environmental assessments in accordance with 24 CFR Part 58.

Our environmental expertise has been utilized on countless disaster recovery projects in areas such as:

- Staten Island/Long Island, New York, CDBG/HMGP Disaster Recovery Environmental Services
- Staten Island/Long Island, New York, Phase I and Phase II Environmental Site Assessments (ESA)
- New York Rising Housing Recovery and Elevation Program/Interim Mortgage Assistance Program
- City of Cedar Rapids, Phase I & II ESA Reviews
- City of Cedar Rapids, Environmental Management
- City of Cedar Rapids, Flood-Related Acquisition/Relocation

Supporting David with environmental tasks will be the following team:

- **ProSource Staff:**
 - Richard Anderson, Senior Environmental Scientist
 - Gloria Cummins, Senior Environmental Scientist
 - Erica Davis, Senior Environmental Scientist
 - Carole Peters, Senior Environmental Scientist
 - Robert Knable, Senior Environmental Scientist
 - Brad Kovach, Senior Environmental Scientist
- **Additional Subconsultants:**
 - **Rivers Consulting**—Rivers Consulting, Inc. is a Women Business Enterprise (WBE) established in 2014 with a focus on environmental regulatory compliance; primarily associated with the NEPA. Rivers Consulting has worked with ProSource in the past, providing substantial NEPA Tier II experience during disaster recovery in the State of New York.
 - **Braun Intertec**—Jennifer Wolf of Braun Intertec has close to three decades of experience in environmental consulting. She worked with ProSource during The State of New York's disaster recovery program, providing NEPA Tier II services.

- **The 106 Group**—Serving as ProSource’s Cultural Resource Consultant, The 106 Group is a leader in cultural resources planning and management. 106 provides technical expertise in the fields of archaeology, ethnography, history, GIS & GPS, Section 106, and other preservation laws and processes, as well as both tribal and general public consultation and mediation. The 106 Group provided cultural resource reviews to ProSource for the Tier II environmental assessments associated with the State of New York disaster recovery programs.

Resumes for each team member listed above can be found on the following pages.

David Hennen, Project Principal—Environmental Services

Mr. Hennen has over 20 years of experience in environmental consulting and serves as the CDBG-DR Director of Environmental Services. Mr. Hennen provided environmental management services for many Hurricane Sandy and City of Cedar Rapids disaster recovery related projects. He provided oversight and support to hundreds of ProSource and sub consultant environmental professionals during disaster recovery projects. He works as ProSource's Director of Environmental Services and Health and Safety Officer, and specializes in the management of projects associated with disaster recovery, Tier 1 and Tier 2 environmental assessments, wetland delineations, threatened and endangered resource surveys, Phase I and Phase II environmental site assessments, regulated waste inspections, pre-demolition surveys, demolition activities and acquiring regulatory and environmental permits. Mr. Hennen works closely with clients and agencies to ensure regulatory compliance while meeting project expectations.

Mr. Hennen holds a M.B.A. from the University of Minnesota's Carlson School of Management, as well as a B.S. in Environmental Science and Business Administration from Minnesota State University—Mankato. Additionally, Mr. Hennen has completed several professional development courses for OSHA, the Wisconsin Department of Natural Resources, and the Federal Energy Regulatory Commission. These continuing education courses have ranged from health and safety training to environmental compliance and reporting seminars. Mr. Hennen is also a member of several industry related organizations including the Economic Development Association of Minnesota, the Midwest ENERGY Association, and the Minnesota Blue Flame Gas Association.

Representative Experience

- New York State, Rehab Emergency Contract, State of New York
- New York State, CDBG Buyout Services - NY Rising Housing Recovery Program – Long Island, NY
- New York State, CDBG Buyout Services - NY Rising Buyout/Acquisition Program – Oakwood Beach, NY
- New York State, CDBG/HMGP Disaster Recovery Environmental Services – Staten Island, NY
- New York State, Sub-Consultant Management State of New York
- New York State, Project Management/Security Demolition – State of New York
- Rockland County, CDBG Rehab Program – Rockland County, NY
- City of Cedar Rapids, Flood Documentation Services – Cedar Rapids, IA
- City of Cedar Rapids, Flood-Related Acquisition/Relocation “Greenway Area” – Cedar Rapids, IA
- City of Cedar Rapids, Flood-Related Acquisition, Construction Study Area and Neighborhood Revitalization Area—Cedar Rapids, IA
- City of Cedar Rapids, Phase I & Phase II ESA Review – Cedar Rapids, IA

Richard Anderson, Senior Environmental Scientist

Mr. Anderson is a client-focused environmental consultant with experience in property due diligence and environmental investigation and cleanup with over 20 years of experience. He provides technical assistance to clients and managers regarding environmental regulations and necessary actions to take to meet project goals. Mr. Anderson is skilled in data analysis and report preparation including environmental site assessments and site/remedial investigation reports including: MN PRP Limited Site Investigation Reports / Remedial Investigation Reports, Phase I & Phase II Environmental Site Assessments, Leaking Underground Storage Tanks, and Tier 2 Site Investigation Reports. He has a demonstrated ability to work with a variety of stakeholders to drive projects to completion, maintaining attention to detail and accuracy.

Richard holds a B.S. in Geology from Michigan Technological University. His field experience includes a variety of sampling and monitoring for soil, groundwater, soil gas, sub-slab gas, and wells. Richard works with a variety of stakeholders, including government entities, utility companies, energy companies, subcontractors, laboratories, and property owners.

Representative Experience

- City of Minneapolis Phase I and II ESA – 61st Street West Reconstruction Corridor.
- City of Minneapolis Phase II ESA – North Loop Reconstruction
- City of Minneapolis Phase II ESA – 2nd Street North
- Americana Bank - Phase I ESA Americana Bank Transaction Screen - Chanhassen, MN
- Americana Community Bank - Transaction Screen and Phase I ESA - Eden Prairie, MN
- Americana Community Bank - Phase I ESA Review - New Jersey
- Border State Bank- Update Phase I ESA - Blaine MN
- Cascade Natural Gas - Anacortes Pipeline Anacortes, WA
- Cascade Natural Gas - Lamb Weston Pipeline – Kennewick and Richland, WA
- Cascade Natural Gas - Swinomish Pipeline Replacement Anacortes, WA
- Cascade Natural Gas - Sunnyside Gate Station, Sunnyside, WA
- Cascade Natural Gas – Burlington, WA Cascade Natural Gas - Hanford Natural Gas Pipeline - Hanford, WA
- Columbia Heights - Excavation Oversight - Columbia Heights, MN
- Dakota Electric Randolph Phase I ESA - Dakota County, MN
- First Advantage Bank-Phase I ESA - Blaine, MN
- Jam Hops - Transaction Screen - Ham Lake MN
- Maple Bank - Phase I ESA - Burnsville, MN
- Maple Bank - RSRA - Richfield, MN
- Montana Dakota Utility - Phase I ESA - Bismarck, Stanley, Tioga, and Watford City ND
- Montana-Dakota Utilities - Phase II ESA - Bismarck, ND

G.D. Cummins, FEMA, Scientist, Environmental Specialist

Profile

- Received M. S. Degree in Geology.
- Obtained over twenty years' experience in environmental regulatory compliance including 2+ years' experience in FEMA public assistance technical support.
- Gained experience in FEMA Public Assistance as an EHP Environmental Specialist in DR-4420-NE and as a Project Specialist in Florida following Hurricanes Jeanne and Francis.
- Coordinated Waste Site Remediation and Groundwater Monitoring environmental compliance activities and functional support for environmental regulatory inspections.
- Conducted environmental requirements reviews and advised senior management on regulatory permitting strategies for contract proposals.

Experience – FEMA EHP Environmental Specialist – DR-4420-NE

- Conducted Hurricane Sandy FEMA Tier II Site Specific Evaluations to include the download and review of Flood Hazard Maps into ArcGIS and the preparation of Tier II Site Specific Checklists in support of HUD community recovery efforts.
- Participated as FEMA EHP's representative on Project Site Inspections and prepared site inspection photologs and reports (SIRs).
- In Grants Manager, Reviewed Detailed Damage Descriptions (DDD's), project statements of work (SOWs) and project documents and histories to support Project Worksheet (PW) review efforts.
- Addressed EHP Concerns in Grants Manager EHP Reports and uploaded SIR files.
- Attended Recovery Scoping Meetings (RSMs), prepared meeting minutes, and uploaded minutes into Grants Manager.
- Completed EHP Environmental Reviews of PWs (Categories A, B, C, D, E, F, & G) obtained from FEIMS/EMMIE system and entered review comments and conditions in accordance with EHP Standard Operating Procedures and Programmatic Agreements.
- As part of EHP reviews, prepared and completed Executive Order 11988 8-Step checklists, and applied interagency programmatic agreements, and NEPA categorical exclusions.
- Utilized online Websites, and GIS mapping databases to create project maps that included, but not limited to; Google Earth, USFWS National Wetlands Inventory Mapper, FEMA Flood Hazard Maps (Firmettes), USGS Topographic Maps, NRCS Web Soil Survey, and FEMA Environmental Justice EJSCREEN.
- Utilized Mobile Phone Applications for EHP job performance including, Solocater (for site location GPS coordinates), Cam Scanner, and Google Maps.
- Provided Public Assistance (PA) Project regulatory planning guidance to PDMGs.
- Supported Hazard Mitigation Project planning by providing EHP regulatory expertise.
- Participated in Applicant Follow-Up meetings, provide technical support, prepare meeting minutes, and upload minutes to Grants Manager.
- Drafted Regulatory Consultation Letters on potential endangered species concerns to U.S. Fish and Wildlife Service.
- Worked with EHP team members to resolve project regulatory and EHP review questions.

- Demonstrated proficiency in FEMA EHP required computer applications including but not limited to Microsoft Office Windows, WORD, EXCEL, Outlook, Skype – MS Teams, PowerPoint, EMMIE, Grants Manager, DART and Concur.

Carole Peter, Senior Environmental Scientist

With more than 20 years of in-depth environmental and wetland project experience, Carole is skilled at completing a wide variety of environmental reviews and permitting applications and documents. She regularly works with both public and private sector clients, as well as government agencies on environmental reviews, permitting, and planning projects for compliance with NEPA, MEPA, Sections 404 and 401 of the Clean Water Act, Section 106, WCA, and other environmental laws and regulations. Carole also performs, leads, and supervises field work for research and project coordination for environmental process documents (federal and state wetland permits, Environmental Assessment Worksheets, and State Environmental Policy Act documentation). Her wetland experience includes wetland delineation, wetland replacement monitoring, wetland banking, wetland permitting, threatened and endangered species and habitat surveys, and plant identification and inventories. Carole is skilled at compiling data from various sources and compiling them into one logical and concise document.

Carole holds a B.S. in Biology, Ecology, and Environmental Science from Gannon University. She is also a member of the National Association of Environmental Professionals, as well as the Society of Wetland Scientists.

Representative Experience

- Blaine Eye Clinic, Wetland Delineation, Blaine, MN
- Private Landowner, Wetland Delineation, Grand Rapids, MN
- Wetland Delineations, Habitat Studies, Ecosystem Monitoring, Department of Energy Savannah River Site, Aiken, South Carolina.*
- Wetland, Ecosystem, and Environmental Monitoring for Remediation Projects; Confidential Coal Mine; Ohio and West Virginia.
- Cascade Natural Gas, Burlington Pipeline, SEPA Checklist, Wetland Permitting, Skagit County, WA
- Cascade Natural Gas, Anacortes Pipeline, SEPA Checklist, Wetland Delineation/Permitting, Skagit County, WA
- Cascade Natural Gas, Engineering Feasibility Study Hanford Natural Gas Pipeline, Hanford, WA
- Cascade Natural Gas, Wetland Delineation, Skagit Valley Extension, Skagit County, WA
- Cascade Natural Gas, SEPA Checklist and Environmental Studies, Lamb Weston Pipeline, Kennewick and Richland, WA
- Northern Natural Gas, TBS Wetland Delineation, Ladysmith, WI
- Northern Natural Gas, Hydro Test, Wetland Delineation, Wrenshall, MN
- Northern Natural Gas Town Border Station (TBS) Modification Environmental Clearance, Elk River, MN
- Dresbach Bridge (I-90 River Crossing) Environmental Assessment/Environmental Assessment Worksheet (federal EA/state EAW), MN and WI*
- St. Anthony Parkway Bridge over the BNSF Northtown Marshalling Yard Categorical Exclusion, Section 4(f) Evaluation and Section 106, Minneapolis, MN*
- Wakota Bridge (I-494/TH 61 over Mississippi River) federal EA/state EAW, Saint Paul, MN*
- Stillwater River Crossing (TH 36 over St. Croix River) Supplemental Draft EIS, Stillwater, MN*

*Projects while employed at other firms.

Erica Davis, Senior Environmental Scientist

Erica has more than 10 years of experience as an environmental scientist and researcher, specializing in environmental documentation, wetland delineations, Environmental Site Assessments, and permitting. She has substantial experience with NEPA compliance, the Endangered Species Act, USACE dredge and fill, the National Historic Preservation Act, and NPDES Construction Stormwater Permitting and SWPPP Development. Additionally, Erica is a subject matter specialist in biological science. She is skilled at preparing detailed reports, as well as expert technical writing. Erica has worked with a variety of clients including watershed districts, local and state government, and the Department of Agriculture. Erica previously was a science teacher, focusing on biology and physical science.

Erica holds a M.S. in Horticulture from the University of Minnesota, as well as a B.S. in Business Administration from Suffolk University. She received her Teaching Licensure from Augsburg College. Additionally, Erica completed the University of Minnesota's Wetland Delineator Certification Program.

Representative Experience

- New York State, CDBG/HMGP Disaster Recovery Environmental Services, Staten Island, NY
 - Provided environmental support services to help individuals, families, and communities recover and rebuild after impacts from Tropical Storm Lee, Hurricane Irene, and Hurricane Sandy.
 - Environmental review for preparation of Floodplain Management Plans, NEPA Tier 1 Environmental Assessments (EAs) and Tier 2 Environmental Review Records, site-specific checklists reviewed at the desktop level for compliance with Tier 1 Programmatic EAs and all applicable regulations.
 - Assisted with obtaining environmental permits and approvals from state and federal agencies, including the U S Army Corps of Engineers (USACE); US Fish & Wildlife Service (USFWS); US Environmental Protection Agency (USEPA); New York State Department of Environmental Conservation (NYSDEC); and State Historic Preservation Office (SHPO).
 - Conducted Phase I ESAs and prepared reports in compliance with the ASTM standard E-1527-13 for buyout or acquisition properties during the Tier 2 process.
 - Participated in a team responsible for senior reviews, QA/QC, issue resolution and finalized more than 10,000 Tier 2 forms resulting in the distribution of \$252 million in disaster relief to affected homeowners over a period of six months.
 - Conducted remote training sessions for contractors using desktop analysis to prepare Tier 2 Checklists for the NYS CDBG-DR 1-4 Unit Housing Rehabilitation Program.
 - Provided technical support to contractors and remote personnel to increase the quality and accuracy of desktop analyses and reduce the amount of Tier 2 forms rejected by QA/QC.
- Environmental Regulatory Review and Permitting Services, Saint Paul, MN
 - Supported energy clients by providing environmental regulatory review and permitting services for natural gas liquids and petroleum lines throughout MN, WI, TX, IL, MI, and MO and gas processing facilities in ND.
 - Site specific environmental review
 - Public Service Commission Consolidated applications for Certificate of Site Compatibility
 - USACE dredge and fill, CWA Sec 404, Sec 401 Water Quality Certification, Sec 10 Waterbodies, Regional General Permits and NWP
 - NPDES Construction Stormwater Permitting and SWPPP Development

Robert Knable, Environmental Services

Robert has offered environmental services over a long, distinguished career for a number of organizations and causes, including work for the Federal Government, Climate Change, State and Local Governments, the Energy Industry, Mining, Native American Tribes, Private Development, and Non-profit. Select experience is presented below.

Representative Experience

- The National Park Service, Tidal Restoration Plan and Environmental Impact Statement within Herring River Floodplain Cape Cod National Seashore, Massachusetts. Wetland Scientist
- General Services Administration (GSA), FBI Headquarters Consolidation EIS. Environmental Scientist
- The National Park Service, Lake Mead National Recreation Area Boulder City Bypass Special Use Permit. Project Manager/Environmental Scientist
- The National Park Service, Grand Canyon National Park Bison Management Plan. Environmental Scientist
- The National Park Service, Grand Teton National Park Waterline Improvement, Moose, WY. Wetland Scientist
- The National Park Service, Gulf Islands National Seashore Personal Watercraft EIS. Environmental Scientist / Water Resources
- U.S. Department of Interior, Deep Water Horizon Oil Spill Early Restoration Programmatic EIS. Environmental Scientist / Water Resources
- BPA, Hooper Springs Transmission Line Environmental Impact Statement. Water Resources Specialist / Deputy Project Manager
- U.S. Army Corps of Engineers, Third and Incline Creek Restoration, Incline Village, NV. Water Resources Special/Deputy Project Manager
- U.S. Army Corps of Engineers, Upper Truckee River Sunset Stables Restoration, South Lake Tahoe, CA. Water Resources Specialist
- U.S. Army Corps of Engineers and U.S. BLM, Prison Hill Water Tank Replacement Project, Carson City, NV. Environmental Scientist / Deputy Project Manager
- New Jersey A.I.M.S4 (Advanced and Integrated Menu of Strategies for Sustainable Sewer and Stormwater Systems), New Jersey. Sr. Environmental Scientist
- PACE Engineers, Inc. Kirkland, WA. Environmental Scientists/Technical Editor/Third Party Review
- City of Seattle Wetland Mapping Project, Seattle, WA. Project Manager
- Indiana Department of Natural Resources FEMA Flood Insurance Program Implementation, Indianapolis, IN
- Cascade Natural Gas Pipeline Realignment and Replacement Project Environmental Assessments, Richland and Kennewick, WA
- Tesoro Savage Tesoro Savage Vancouver, WA Energy Distribution Terminal, Environmental Impact Statement. Environmental Scientist / Deputy Project Manager (LBG Team)
- Proposed Mining Expansion, McClane Canyon Mining, Loma, CO
- Walker River Paiute Tribe, Walker River Water Quality and Flow Monitoring, NV
- Reed Project Wetland Buffer Mitigation Plan, Olympia, WA
- Lower Columbia Fish Enhancement Group, Toutle River Confluence Restoration-Phase I, Wetland Delineation, Toutle, WA

Brad R. Kovach, PWS, CLP

Brad offers more than 30 years of experience in wetland and ecological services, permitting, and restoration; NEPA and Minnesota Environmental Policy Act facility siting studies and permitting, ecological studies related to wildlife, botany, and ecology; federal, state, and local environmental planning; and aquatic ecology. Brad's sector experience includes energy and utilities, oil and gas, transportation, mining, and site development. He serves clientele throughout the upper Midwest, U.S. and internationally providing project and program management, and field services.

Brad holds a B.S. in Biology from Middle Tennessee State University and was a candidate for a M.S. in Ecology from the University of South Florida.

Representative Experience

- Trunk Highway (TH) 371 Pine River to Nisswa Environmental Assessment (EA)
- County Road 30/TH 10 Interchange EA Wetland Studies
- Wyoming Department of Transportation (WYDOT) Categorical Exclusion Studies
- Cheyenne (WY) International Airport Terminal EA, environmental, water quality, and wildlife studies
- Anoka Blaine Airport Expansion EIS Ecological Studies
- Minnesota Public Utilities Commission (PUC) Certificate of Need and Route Permit Environmental Report
- Western U.S. Gateway West HV Transmission Line EIS in Utah, Nevada, Oregon. Waterbody, Wildlife, and Vegetation Studies
- FERC Environmental Compliance for Pipeline Maintenance and Repair projects
- North Dakota PSC Energy Facility Siting Studies for Sidney to Tioga Gathering System Pipeline
- Transportation Technology Center Solar Farm EA
- Wyoming Industrial Siting Act studies for project manager, and raptor, bat, and wildlife studies for 10,000+ acre Kinney-Slater Cooperative Wind in SE WY
- Environmental Asset Audit of an oil and gas production wellfield in Ohio and West Virginia
- Wildlife monitoring of well and construction operations for T&E Species and Migratory Birds in North Dakota
- Completion of FERC Hydropower Facility Relicensing applications, and aquatic ecology and resource studies for the following: Carthage Paper Hydro Plant, Black River in NY; Pike Island Hydro Plant, Ohio River in West Virginia; Swanton and Enosburg Hydro Plants, Vermont; and Zompopero Reservoir, in the Honduras
- Natural Resource Management Plan for St. Croix State Park
- City of Golden Valley Natural Resource Inventory, project manager for a GIS based natural inventory based on the MNDNR Ecological Classification System conducted on all the open space land use areas of the City of Golden Valley
- City of Chanhassen Wetland and Waterbody Inventory for the Stormwater Management Master Plan
- Rare Species Meander Survey – St. Croix National Riverway
- Clough Island Rare Species Surveys, St. Louis River Bay
- Cactus Hills Rare Species Surveys, Sioux Falls East Bypass EA

- **A statement substantiating the resources of the service provider and the ability to carry out the scope of work requested within the proposed timeline.**

Working between our headquarters in Minneapolis, MN and our strategically placed office in Houston, TX, ProSource will utilize our substantial disaster recovery experience and key team members listed above to carry out the scope of work requested within the proposed timeline. ProSource has been committed to several disaster recovery programs to date, and has met our goals on time and under budget.

Our environmental expertise has been utilized on countless disaster recovery projects in areas such as:

- Staten Island/Long Island, New York, CDBG/HMGP Disaster Recovery Environmental Services
- Staten Island/Long Island, New York, Phase I and Phase II Environmental Site Assessments (ESA)
- New York Rising Housing Recovery and Elevation Program/Interim Mortgage Assistance Program
- City of Cedar Rapids, Phase I & II ESA Reviews
- City of Cedar Rapids, Environmental Management
- City of Cedar Rapids, Flood-Related Acquisition/Relocation

3. Proposed Cost of Services

ProSource Rate Sheet

Labor Classification	Rate/Hour
Principal/Project Attorney	\$190
Senior Project/Contract Manager	\$150
Project Manager	\$130
Senior Environmental Specialist	\$115
Senior Technician/GIS Specialist	\$110
Technician/GIS Specialist	\$90
Environmental Specialist	\$82
Database/document specialist	\$78
Administrative	\$75

ProSource Cost Information

Task Description	Cost
Review project description to determine level of environmental review	\$350
Tier 1 (broad project level) Environmental Assessment (EA)	\$80,000
Tier 2 (parcel specific) Environmental Review	\$750/Parcel
Agency Coordination	Hourly Rates
Environmental Studies (biological assessments, wetland delineations, asbestos surveys, lead-based point assessments, cultural resource surveys, Phase I and II ESAs)	Cost to be provided based on the project specific information.
Response to agency comments	Hourly Rates
Submit environmental review into GLO system of record	Hourly Rates
Prepare and submit public notices	Hourly Rates
Provide documentation of environmental clearance	Hourly Rates
Process environmental review clearance in accordance with NEPA	Hourly Rates
Tier 2 Re-evaluations per 24CFR58.47	\$500/Parcel
Prepare monthly status reports and participate in progress meetings	Hourly Rates

Submission Requirements

Certificate of Insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/28/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Kraus - Anderson Insurance 420 Gateway Blvd Burnsville MN 55337		CONTACT NAME: Certificates Department PHONE (A/C, No, Ext): 952-707-8200 E-MAIL ADDRESS: certificates@kainsurance.com		FAX (A/C, No): 952-890-0535
		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Crum & Forster Specialty Ins C		44520
		INSURER B: Hartford Fire Insurance Compan		19682
		INSURER C: Hartford Accident and Indemnity		22357
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 178857143

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Contractors Poll <input checked="" type="checkbox"/> Contractual Liab GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:			EPK-128471	11/1/2019	11/1/2020	EACH OCCURRENCE \$ 3,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 3,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
C	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			41 UEC ID0414 SA	11/1/2019	11/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			EFX-113574	11/1/2019	11/1/2020	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N N	N / A	41 WEC CB8768	11/1/2019	11/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Prof Liab - Claims Made Aggregate Incl in GL - Retro Date 11/1/97			EPK-128471	11/1/2019	11/1/2020	Per Occurrence 3,000,000 Ded Each Loss 10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Gonzales, Texas
820 St. Joseph Street
Gonzales TX 78629

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Statement of Conflicts of Interest

To the best of our knowledge, ProSource does not have any conflicts of interest.

System for Award Management



A NEW WAY TO SIGN IN - If you already have a SAM account, use your **SAM email** for login.gov.

 [Log In](#)

[Login.gov FAQs](#)

 **ALERT:** SAM.gov will be down for scheduled maintenance Saturday, 06/13/2020 from 8:00 AM to 1:00 PM

Entity Dashboard

- ▶ [Entity Overview](#)
- ▶ [Entity Registration](#)
 - ▶ [Core Data](#)
 - ▶ [Assertions](#)
 - ▶ [Reps & Certs](#)
 - ▶ [POCs](#)
- ▶ [Exclusions](#)
 - ▶ [Active Exclusions](#)
 - ▶ [Inactive Exclusions](#)
 - ▶ [Excluded Family Members](#)

[RETURN TO SEARCH](#)

Prosource Technologies, LLC
 DUNS: 014315688 CAGE Code: 1T3F6
 Status: Active
 Expiration Date: 05/13/2021
 Purpose of Registration: All Awards

9219 E River RD NW
 MINNEAPOLIS, MN, 55433-5722 ,
 UNITED STATES

Entity Overview

Entity Registration Summary

Name: Prosource Technologies, LLC
Business Type: Business or Organization
Last Updated By: Evelyn McCullough
Registration Status: Active
Activation Date: 05/13/2020
Expiration Date: 05/13/2021

Exclusion Summary

Active Exclusion Records? No



IBM-P-20200424-1037
 WWW1

Search Records Disclaimers FAPIIS.gov
 Data Access Accessibility GSA.gov/IAE
 Check Status Privacy Policy GSA.gov
 About USA.gov
 Help

This is a U.S. General Services Administration Federal Government computer system that is "FOR OFFICIAL USE ONLY." This system is subject to monitoring. Individuals found performing unauthorized activities are subject to disciplinary action including criminal prosecution.

Form CIQ

CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ**

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

N/A

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)**3** Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

N/A

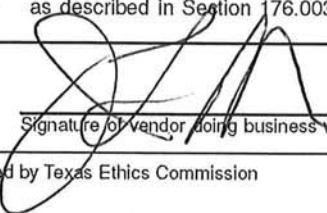
A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes☐ No**5** Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

N/A

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).**7** 
Signature of vendor doing business with the governmental entity

8/3/20

Date

Certification Regarding Lobbying

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, ProSource Technologies, LLC, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.



Signature of Contractor's Authorized Official

Joseph L. Devich, CEO

Printed Name and Title of Contractor's Authorized Official

8/3/20

Date

Form 1295

ProSource agrees to complete this form at the time of signed contract submission.

Required Contract Provisions

ProSource does not have any contract provisions.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on **Resolution #2020-78** Authorizing the City Manager to execute a license agreement with Michael Tuch for an unopened street between Lot No. 9, Range 10 and Lot No. 9, Range 11, East of Water Street, in the Original Outer Town of Gonzales.

DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

Michael Tuch has requested a license agreement for two portions of an unopened street located on between Lot No. 9, Range 10 and Lot No. 9, Range 11, East of Water Street, in the Original Outer Town of Gonzales. The City Engineer has confirmed that this portion of the unopened street is in the floodplain and it is unlikely the city will ever want to build a street in that location.

POLICY CONSIDERATIONS:

Recently, the City of Gonzales has granted a license agreement for an unopened street for three other property owners.

FISCAL IMPACT:

There are no associated fees or payments with this request.

STAFF RECOMMENDATION:

Staff is seeking direction from the Council on this item.

RESOLUTION NO. 2020-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH MICHAEL TUCH GRANTING THEM THE USE OF CERTAIN TRACTS OF LAND AS DESCRIBED; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Michael Tuch is requesting the right to use a tract of land described in Exhibit “A” of the license agreement attached as Attachment A; and,

WHEREAS, the agreement will for a period of thirty (30) years with the option to be extended for one (1) additional thirty (30) year period; and,

WHEREAS, the City Council of the City of Gonzales hereby finds that the execution of the license agreement with Michael Tuch is in the best interest of the City.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales hereby approves the License Agreement with Michael Tuch attached hereto as Attachment A and authorizes the execution of said Agreement by the City Manager.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

Section 8. This Resolution shall not be construed to require or allow any act which is prohibited by an Ordinance.

PASSED AND APPROVED this 13th day of August 2020.

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

LICENSE AGREEMENT

This License Agreement is made this the _____ day of _____, 2020, by and between the City of Gonzales, a Municipal Corporation, of Gonzales County, Texas, hereinafter called the LICENSOR, and Michael Tuch of Gonzales County, Texas hereinafter called LICENSEE:

RECITALS

WHEREAS, the LICENSOR is the owner of the tract of land attached hereto as EXHIBIT "A";

WHEREAS, the LICENSEE desires to exercise certain rights and privileges upon the Property attached hereto as EXHIBIT'S "B" and "C".

NOW THEREFORE, it is agreed as follows:

GRANT OF LICENSE

LICENSOR hereby grants unto the LICENSEE, its successors and assigns the right to use for free and uninterrupted use, liberty and privilege of occupying the hereinabove described tracts of land, together with free unobstructed ingress and egress to and from the said LICENSEES, their heirs and assigns, for a period of THIRTY (30) years only, from and after the date of this agreement, in, along, upon and over said tract of land TO HAVE AND TO HOLD all and singular the said license and privileges aforesaid, unto the LICENSEE during the term of said License. The rights herein granted to LICENSEE, may be assigned in part or in whole, but expressly subject to the terms of this License Agreement and approval of the City Council. This License may be extended for one ONE (1) additional THIRTY (30) year terms.

In consideration for this agreement, the LICENSEE shall pay to the LICENSOR the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

TERMINATION

It is expressly agreed and understood by the LICENSEE that the purpose of this license is to grant to LICENSEE a license and right on the hereinabove described tracts of land because said tracts of land are located within boundaries of the property owned by the LICENSEE, and it is expressly agreed and stipulated, and LICENSEE, by the acceptance of this license, expressly agrees, that should either of the hereinabove described tracts of land cease to be used by LICENSEE for a period of SIX (6) consecutive months during the term of this grant,

or, in the event the LICENSOR shall open for traffic either of the hereinabove tracts of land, this license shall TERMINATE, and be of no force or effect, and all such rights and privileges herein granted as to such tract to the LICENSEE, shall automatically revert to the LICENSOR, and its successors and assigns.

RESOLUTION AND AUTHORITY

This License Agreement and the grant to Licensee has set forth herein were authorized by the duly passed Resolution of the City of Gonzales dated the 13th day of August, 2020 and the undersigned was authorized to act on behalf of the City of Gonzales, Texas. A copy of the Resolution is attached hereto as Exhibit "D".

Executed this the _____ day of _____, 2020

LICENSOR: City of Gonzales

TIM PATEK
Mayor, City of Gonzales

STATE OF TEXAS

COUNTY OF GONZALES

This instrument was acknowledged before me on the _____ day of _____, 2020, by Tim Patek City Manager of the City of Gonzales, Texas, a municipal corporation, on behalf of the corporation, and in the capacity stated.

Notary Public, State of Texas

AGREED TO AND ACCEPTED BY:

Michael Tuch

STATE OF TEXAS §

COUNTY OF GONZALES §

This instrument was acknowledged before me on _____ day of _____, 2020, by Michael Tuch.

Notary Public, State of Texas

EXHIBIT "A"

All of Lots Nos. Seven (7), Eight (8), and Nine (9), all in Range No. Ten (10), East of Water Street, in the Original Outer Town of Gonzales, Abstract No. 35, in Gonzales County, Texas, and containing 33.6 acres of land, more or less, and being the same land described in deed from Hattie Robinson Friedel et al to Charles Edward Tuch, dated October 24, 1963, and recorded in Volume 335, on pages 625 et seq., of the Gonzales County Deed Records.

EXHIBIT "B"

Being all that certain tract of 0.5526 of an acre of land, more or less, lying and being situated in Gonzales County, Texas, being part of an unopened city street lying between Lot No. 9, Range No. 10, and Lot No. 9, Range No. 11, East of Water Street, in the Original Outer Town of Gonzales, the particular portion hereby intended to be described by metes and bounds, as follows:

BEGINNING at the northeast corner of said Lot No. 9, Range No. 10, the same being the west line of said unopened city street, for the northwest corner of this tract or parcel of land hereby intended to be described;

THENCE crossing said street, North 70° 00' 00" East 55.55 feet to the northwest corner of said Lot No. 9, Range No. 11, for the northeast corner of this tract or parcel of land hereby intended to be described;

THENCE South 20° 00' 00" East 433.33 feet along the west line of said Lot No. 9, Range No. 11, and the east line of said unopened city street, to the southwest corner of said Lot No. 9, Range No. 11, for the southeast corner of this tract or parcel of land hereby intended to be described;

THENCE crossing said street, South 70° 00' 00" West 55.555 feet to the southeast corner of said Lot No. 9, Range No. 10, for the southwest corner of this tract or parcel of land hereby intended to be described;

THENCE North 20° 00' 00" West along the east line of said Lot No. 9, Range No. 10, and the west line of said street, to the PLACE OF BEGINNING.

These field notes were prepared from records and do not reflect a survey done on the ground.


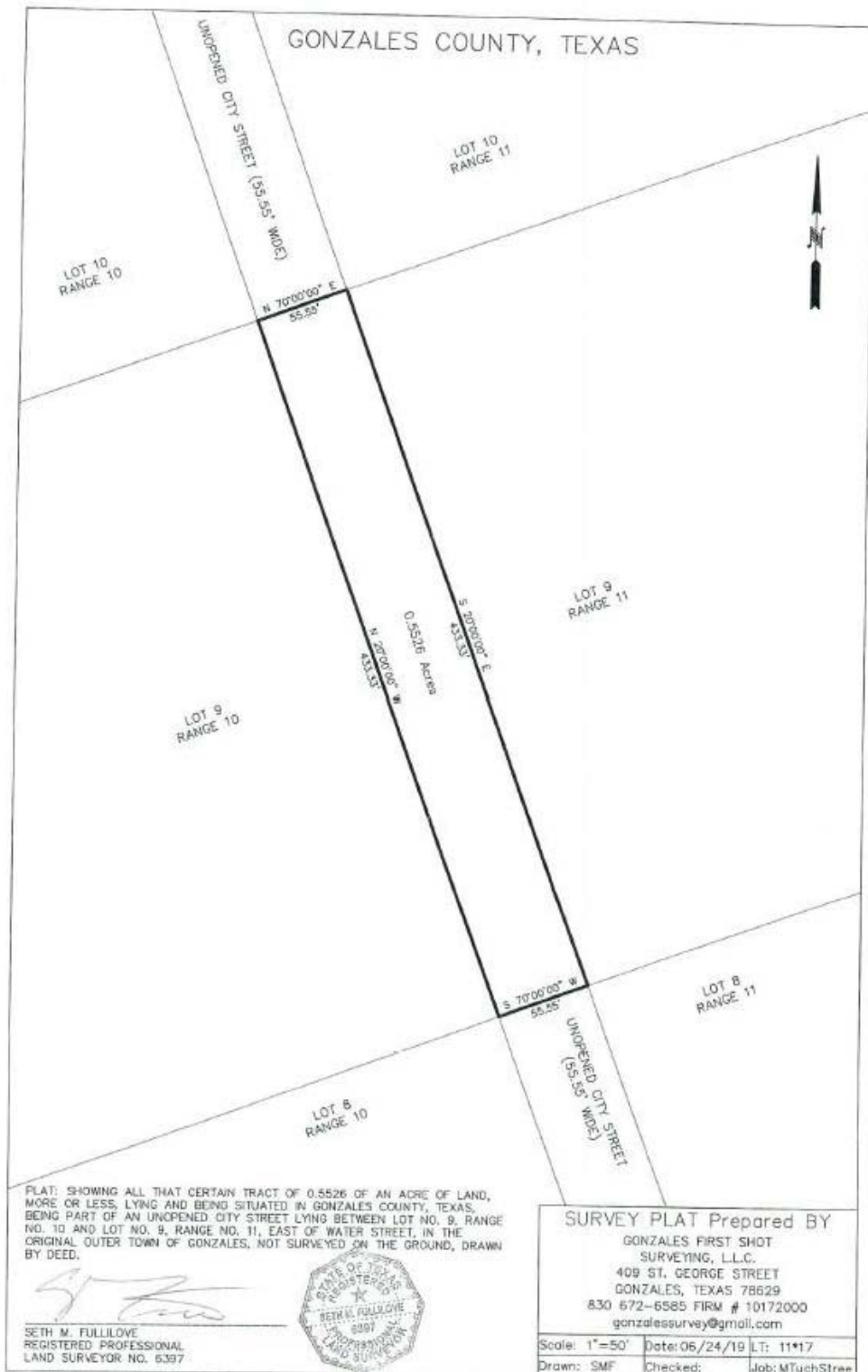

SETH M. FULLILOVE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6397



EXHIBIT "C"



Michael Tuch
1301 East Sarah Dewitt Drive
Gonzales, Texas 78629
830-857-5316



July 23, 2020

Attention: City of Gonzales

I am requesting legal access by use of the unopened city streets from lots 7, 8, 9 (30 acres) to lots 9 and 10 (22 acres) as shown on the survey.



Michael Tuch

AND WIFE
BARBARA ANN DeBERRY
344/369

LOT 11
RANGE 10

W.T. DeBERRY JR.
AND WIFE
BARBARA ANN DeBERRY
344/369

LOT 10
RANGE 11

TRACT 1
22.043 Ac.

LOT 9
RANGE 11

CHARLES EDWARD TUCH
465/393

LOT 8
RANGE 10

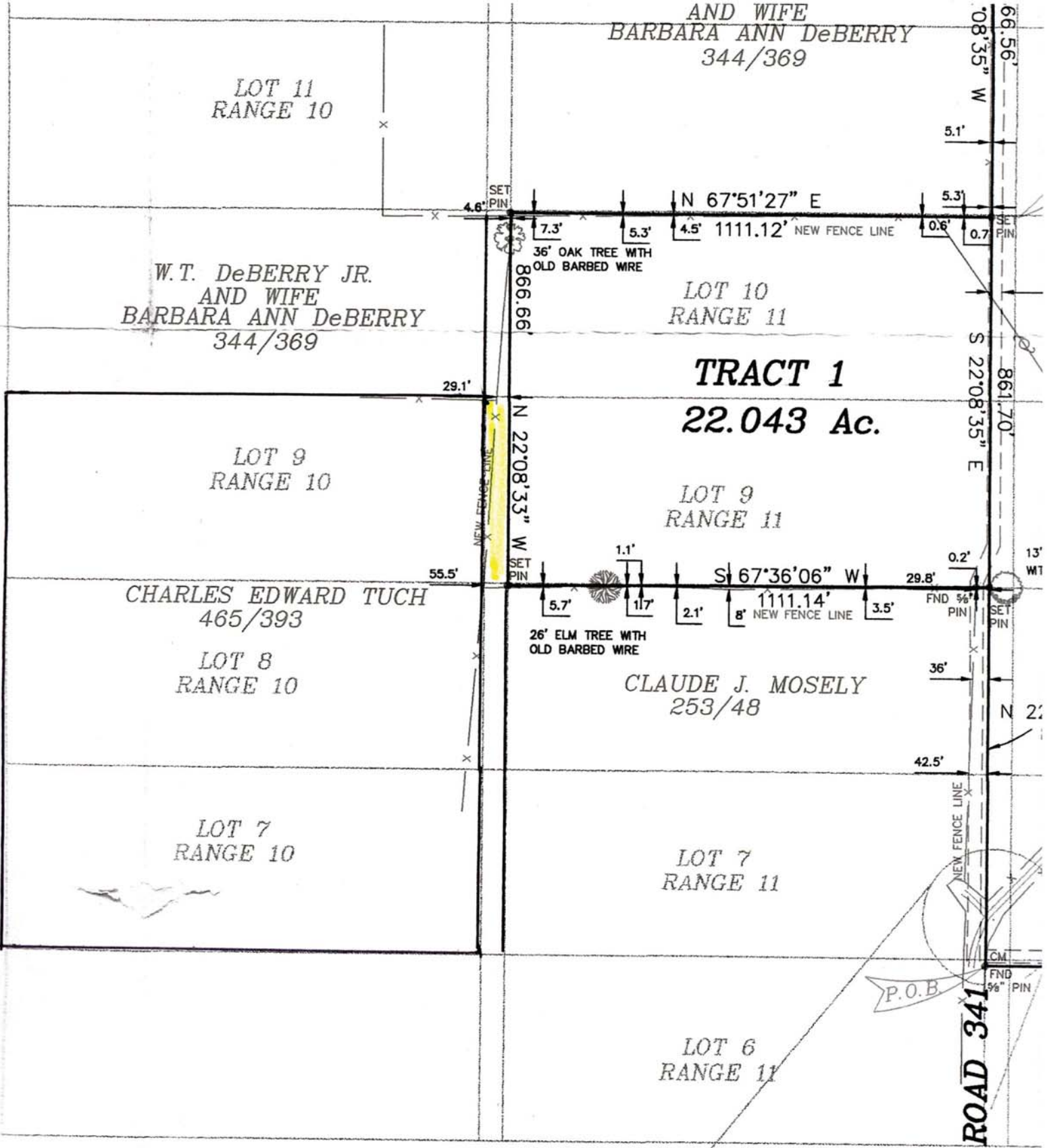
CLAUDE J. MOSELY
253/48

LOT 7
RANGE 10

LOT 7
RANGE 11

LOT 6
RANGE 11

66.56' W 53.80'
5.1'
5.3'
0.6'
0.7'
861.70' S 22°08'35" E
13' WT
N 2°
42.5'
NEW FENCE LINE
CM
FND 5/8" PIN
P.O.B.
COUNTY ROAD 341



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COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving Resolution #2020-79 Appointing a Citizen Representing District 3 to fill the unexpired term of Robert Ramirez on the Charter Review Commission Empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.

DATE: August 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

As required in Section 11.11 of the City of Gonzales Charter, as amended in May of 2019, the City Council appointed a Charter Review Commission at the July 9, 2020 Council Meeting. Each council member appointed one member to the commission with a term empaneled from August 1st through January 31st. Staff has learned that Robert Ramirez, the individual recommended by Council Member O'Neal, District 3, is no longer able to serve. Adoption of the resolution will fill the unexpired term.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A

STAFF RECOMMENDATION:

Staff respectfully requests City Council action deemed appropriate

RESOLUTION NO. 2020-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS APPOINTING A CITIZEN TO FILL THE UNEXPIRED TERM OF ROBERT RAMIREZ, REPRESENTING DISTRICT 3 TO THE CHARTER REVIEW COMMISSION TO BE EMPANELED FROM AUGUST 1, 2020 THROUGH JANUARY 31, 2021 AS REQUIRED BY SECTION 11.11 OF THE CITY OF GONZALES CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council shall appoint a Charter Review Commission consisting of five citizens of the City of Gonzales at the July City Council meeting in years ending in zero (0) and five (5); and,

WHEREAS, each councilmember shall appoint one (1) member to the commission; and,

WHEREAS, appointments were made at the July 9, 2020 City Council meeting; and

WHEREAS, Robert Ramirez, the citizen representing District 3, is no longer able to serve on the commission; and

WHEREAS, the City Council desires to appoint an individual to fulfill the unexpired term.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby appoints _____ to fill the unexpired term of Robert Ramirez, representing District 3, to the Charter Review Commission to be empaneled from August 1, 2020 through January 31, 2021 as required by Section 11.11 of the City of Gonzales Charter.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 13th day of August 2020

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, City Secretary

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving **Resolution #2020-80** Authorizing
the Appointment of Two Council Members to
the Golden Crescent Regional Planning
Commission General Assembly from
September 1, 2020 to August 31, 2021.

DATE: August 13, 2020

TYPE AGENDA ITEM:

Council Action

BACKGROUND:

Each year the Golden Crescent Regional Planning Commission notifies their representative cities of the provision to appoint two representatives to the General Assembly for a one year term. These representatives shall be appointed by and be a member of the City Council. The term of appointment is from September 1, 2021 through August 31, 2021.

POLICY CONSIDERATIONS:

This is consistent with what has been done in the past.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Letter from Golden Crescent Regional Planning Commission

STAFF RECOMMENDATION:

Staff respectfully requests City Council take the action deemed appropriate

RESOLUTION NO. 2020-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE APPOINTMENT OF TWO COUNCIL MEMBERS TO THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION GENERAL ASSEMBLY FROM SEPTEMBER 1, 2020 THROUGH AUGUST 31, 2021; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Golden Crescent Regional Planning Commission bylaws provide for the appointment of two City Council Members to serve on the General Assembly and Board of Directors; and,

WHEREAS, the representatives shall be appointed by, and be a member of the City Council; and,

WHEREAS, the appointments are effective from September 1, 2020 through August 31, 2021.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales, Texas hereby appoints _____ and _____ to the General Assembly of the Golden Crescent Regional Planning Commission from September 1, 2020 through August 31, 2021.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 13th day of August 2020

Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, City Secretary



GOLDEN CRESCENT REGIONAL PLANNING COMMISSION

1908 N Laurent , Suite 600, Victoria, TX 77901

(361) 578-1587 / Fax (361) 578-8865

www.gcrpc.org

Golden Crescent Economic Development District

TO: Member Cities of the Golden Crescent Regional Planning Commission

RE: FY 2021 General Assembly Appointments and Board of Directors Delegates

DATE: July 16, 2020

EXECUTIVE COMMITTEE

President

Kevin LaFleur
Commissioner, Gonzales County

1st Vice-President

Josephine Soliz
Councilwoman, City of Victoria

2nd Vice-President

Alonzo Morales
Commissioner, Goliad County

3rd Vice-President

Tony Allen
Councilman, City of Cuero

Secretary-Treasurer

Annie Rodriguez
Mayor, City of Yoakum

Director-at-Large

Robert A. Kubena
Municipal Judge, Hallettsville

Director-at-Large

Mike Atkinson
Citizen, Victoria

Director-at-Large

Julio Espinosa
Municipal Judge, Edna

Immediate Past President

Tramer Woytek
Judge, Lavaca County

Executive Director

Michael Ada

Annually, under the current By-laws of the Golden Crescent Regional Planning Commission (GCRPC), existing members appoint representatives to serve on our General Assembly, the general policy body of GCRPC. **Each member city, is entitled to have two representatives on the General Assembly.** Member city representatives "shall be appointed by, and be a member of, the City Council".

Subsequent to the appointment of your General Assembly representatives; all member cities within your county shall, by mutual agreement and proper endorsement by each member city, **designate one delegate from the combined list of FY 2021 representatives, to serve on the Board of Directors.** Such designation may be in addition to officers elected at our Annual General Assembly meeting held in August.

General Assembly appointees and Board of Directors delegates serve a one-year term beginning September 1st. GCRPC encourages appointees and delegates to serve a minimum of two terms. Current representatives may continue to serve until replaced.

If you have any questions or need any additional information please contact our Human Resource & Member Services Director, Danielle Warzecha, at (361) 578-1587, ext. 220.

Sincerely,

Michael Ada
Executive Director

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action on designating a location(s) for the placement of interpretive panels.

DATE: August 13, 2020

TYPE AGENDA ITEM:

Council Action

BACKGROUND:

At the July 9, 2020 City Council meeting, a presentation was made regarding the Confederate Square including the possibility of installing interpretive panels by Gonzales County Historical Commission and Preserve Gonzales to include suggested topics of Antebellum Gonzales; Gonzales' Significance in the Civil War; Woman, Slaves and Refugees; June 19, 1865 Juneteenth state holiday; Neighborhoods and Families in Gonzales; and, African American Firsts in Gonzales.

The individuals involved in the project have identified a location for the installation of the panels and would like Council approval prior to moving forward with the project. The content and design will be presented in the future for consideration.

POLICY CONSIDERATIONS:

This is consistent with current policy.

FISCAL IMPACT:

The fiscal impact of these projects is currently unknown.

ATTACHMENTS:

None

STAFF RECOMMENDATION:

Staff is seeking direction from Council on this item.

COUNCIL AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Discuss, Consider & Possible Action
Approving **Resolution #2020-81** Authorizing the City Manager to Execute Addendum Two to the Agreement with Guadalupe Valley Electric Cooperative for Power Supply Consulting Services to Solicit and Evaluate Request for Proposals from Qualified Market Participants

DATE: Agust 13, 2020

TYPE AGENDA ITEM:

Resolution

BACKGROUND:

City Staff is requesting City Council approval to hire GVEC to issue a Request for Proposals from qualified market participants. This proposal will include the following:

1. Construct a model depicting the electric load of the City of Gonzales. This model will include the average electric load by hour for the previous two years and will be adjusted for any known future load loss or load growth. The model will be the basis for a Request for Proposals for a load following transaction for thirty percent (30%) of the electric load requirements in each hourly interval of the City of Gonzales for the term of the transaction. The request for proposal will include a request for pricing based on a term of one, three, and five years.
2. Monitor electric market conditions within ERCOT and recommend appropriate timing of pricing and entering transaction.
3. On behalf of City, solicit a Request for Proposals from qualified market participants.
4. Evaluate proposals submitted by market participants and provide recommendation based upon overall terms of the submitted proposals. In addition to pricing, the proposals will be evaluated based upon credit worthiness of supplier, credit requirements of the City, termination provisions, and dispute resolution.
5. In coordination with the City's legal counsel and staff, negotiate and finalize power purchase agreement. GVEC will provide the above services to the City of Gonzales for a fixed contract price of \$25,000.

POLICY CONSIDERATIONS:

If accepted the agreement will allow GVEC to solicit a Request for Proposals from qualified market participants and to negotiate and finalize a power purchase agreement that would take effect starting July 1, 2021.

FISCAL IMPACT:

\$25,000.00 Electric Department Budget

ATTACHMENTS:

GVEC's proposal for power supply consulting services.

STAFF RECOMMENDATION:

Staff respectfully recommends City Council approve the agreement with GVEC for Power Supply Consulting Services.

RESOLUTION NO. 2020-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE ADDENDUM TWO TO THE AGREEMENT WITH GUADALUPE VALLEY ELECTRIC COOPERATIVE FOR POWER SUPPLY CONSULTING SERVICES TO SOLICIT AND EVALUATE REQUEST FOR PROPOSALS FROM QUALIFIED MARKET PARTICIPANTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Gonzales (“City”) and Guadalupe Valley Electric Cooperative (“GVEC”) previously entered into an Operation and Maintenance Agreement (“Agreement”) the terms of which require a yearly renewal 90 days prior to expiration; and,

WHEREAS, the Parties agree that it is in the best interest of the City to amend the Operation and Maintenance Agreement to include contracting with GVEC to solicit and evaluate Request for Proposals from qualified market participants as indicated in Exhibit “A”; and,

WHEREAS, the terms of the Agreement allow for amendments to made upon written approval of the Parties.

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

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Gonzales hereby authorizes the City Manager to execute Addendum Two to the agreement with Guadalupe Valley Electric Cooperative for Power Supply Consulting Services attached as Exhibit “A”.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject

matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 13th day of August, 2020

Mayor, Connie L. Kacir

ATTEST:

Kristi Gilbert, City Secretary

**OPERATION AND MAINTENANCE AGREEMENT
ADDENDUM TWO**

THIS OPERATION AND MAINTENANCE AGREEMENT ADDENDUM TWO (“Addendum”) is made and entered into on the _____ day of _____, 2020 following all necessary approval by the governing bodies of the Parties (the “Execution Date”) to be effective as of August 13, 2020, the “Effective Date”) by and between the City of Gonzales, a Texas home rule municipal corporation (“Owner”), and Guadalupe Valley Electric Cooperative, Inc., a Texas corporation (“Operator”) (each a “Party” and collectively the “Parties”).

RECITALS

WHEREAS, Owner provides electric services to residents within the City of Gonzales and community of Harwood through its municipally owned electric utility and desires to contract for operation and maintenance of the Project; and,

WHEREAS, Operator provides operation and maintenance services for electric distribution facilities and has agreed to provide those services for the Project on the terms and conditions set forth in this Agreement; and,

WHEREAS, the Parties have determined that adding power supply consulting services to the Scope of Services is in the best interest of both parties; and,

WHEREAS, the terms of the Agreement allow for amendments to made upon written approval of the Parties.

NOW THEREFORE, in consideration of the mutual covenants, undertakings and conditions set forth below, the receipt and sufficiency of which are hereby acknowledged, the parties, pursuant to Section 14.4 *Amendments*, of the Agreement, hereby agree as follows:

I. Amendments Constituting Addendum Two to the Operation and Maintenance Agreement Appendix A Scope of Services

1. Amend Appendix A Scope of Services to add Power Supply Consulting Services as described in Appendix A-1.
2. All other terms and conditions of the Operation and Maintenance Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement through their duly authorized officers as of the date set forth in the preamble to this Agreement.

(Remainder of page intentionally left blank)

Operator: Guadalupe Valley Electric Cooperative, Inc.

By:

Darren Schauer
General Manager and Chief Executive Officer

Owner: City of Gonzales, Texas

By:

Tim Patek
City Manager

APPENDIX A-1 TO OPERATION AND MAINTENANCE AGREEMENT



INTERNET | ELECTRIC | HOME

July 27, 2020

Mr. Tim Patek
City Manager-City of Gonzales
820 St. Joseph Street
P.O. Box 547
Gonzales, Texas 78629

Dear Tim:

The following is GVEC's proposal for power supply consulting services for the City of Gonzales. Please let me know if you have any questions or feel certain items should be added or deleted. We look forward to working with you on this project.

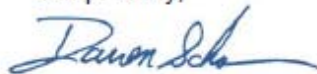
GVEC Power Supply Consulting Services

1. Construct a model depicting the electric load of the City of Gonzales. This model will include the average electric load by hour for the previous two years and will be adjusted for any known future load loss or load growth. The model will be the basis for a Request for Proposals for a load following transaction for thirty percent (30%) of the electric load requirements in each hourly interval of the City of Gonzales for the term of the transaction. The request for proposal will include a request for pricing based on a term of 1, 3, and 5 years.
2. Monitor electric market conditions within ERCOT and recommend appropriate timing of pricing and entering transaction.
3. On behalf of City, issue Request for Proposals from qualified market participants.
4. Evaluate proposals submitted by market participants and provide recommendation based upon overall terms of the submitted proposals. In addition to pricing, the proposals will be evaluated based upon credit worthiness of supplier, credit requirements of the City, termination provisions, and dispute resolution.
5. In coordination with the City's legal counsel and staff, negotiate and finalize power purchase agreement.

GVEC will provide the above services to the City of Gonzales for a fixed contract price of \$25,000.

We look forward to working with you on this project.

Respectfully,



Darren Schauer
General Manager
and Chief Executive Officer

GuadalupeValleyElectricCooperative, Inc.

825 E. Sarah DeWitt Dr. | P.O. Box 118 | Gonzales, Texas 78629 | 1.800.223.GVEC (4832) | www.gvec.org

COUNCIL AGENDA ITEM BRIEFING DATA



DATE: August 13, 2020

TYPE AGENDA ITEM:

Ordinance

BACKGROUND:

The City of Gonzales previously ordered the May 2, 2020 General Election at their February 13, 2020 Council Meeting and adopted an ordinance postponing the General Election at their March 20, 2020 meeting as a result of COVID. The deadline to order the election is currently August 17, 2020. The election order must contain the date of the election, the main early voting location, the early voting dates and hours, the early voting clerk and branch early voting locations. Since we will be executing a contract with Gonzales County to administer the election, most of the items will be provided by their office. Currently, the only information we are lacking are the early voting hours. We expect to have those by the date of the Council Meeting. The updated election order will be provided prior to the Council Meeting.

POLICY CONSIDERATIONS:

As per Chapter 3 of the Texas Election Code requires that each general and special election shall be ordered.

STAFF RECOMMENDATION:

Staff respectfully recommends the approval of this ordinance.

AGENDA ITEM

Discuss, Consider & Possible Action on Ordinance #2020-16 Amending the Order for the General Municipal Election to be Held on May 2, 2020 and Postponed to November 3, 2020 for the Purpose of Electing One City Councilmember for Single Member District No. 3 and One City Councilmember for Single Member District No. 4; providing for early voting; providing for other matters relating to the election

CITY OF GONZALES FINANCIALS

August 13, 2020

FINANCIAL REPORTS FOR FUNDS

CASH & INVESTMENT BY FUND

QUARTERLY INVESTMENT REPORT ENDING 6/30/2020

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

100-GENERAL FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
401-TAX REVENUE	2,731,386.00	149,978.91	2,417,379.21	88.50	0.00	314,006.79
402-FRANCHISE REVENUE	1,948,150.00	52,891.15	1,288,865.37	66.16	0.00	659,284.63
403-LICENSE/FEE/PERMITS	59,500.00	3,272.80	49,741.24	83.60	0.00	9,758.76
404-PARKS FEES REVENUE	193,850.00	21,313.88	155,007.99	79.96	0.00	38,842.01
405-MUNICIPAL COURT REVEN	116,932.00	2,035.60	37,656.53	32.20	0.00	79,275.47
406-MISCELLANEOUS REVENUE	763,852.00	11,555.11	546,304.19	71.52	0.00	217,547.81
407-STREET ASSESSMENT INC	0.00	0.00	0.00	0.00	0.00	0.00
408-INTEREST REVENUES	45,000.00	0.00	21,179.08	47.06	0.00	23,820.92
409-OTHER FINANCING REVEN	518,273.00	6,157.00	581,555.01	112.21	0.00	(63,282.01)
410-TRANSFERS	2,436,066.00	1,000.00	1,848,389.11	75.88	0.00	587,676.89
*** TOTAL REVENUES ***	8,813,009.00	248,204.45	6,946,077.73	78.82	0.00	1,866,931.27
EXPENDITURE SUMMARY						
101-CITY COUNCIL DEPARTME	88,359.00	121.06	59,441.07	67.27	0.00	28,917.93
102-CITY MANAGER DEPART	242,406.24	16,482.59	187,747.68	77.45	0.00	54,658.56
103-COMMUNITY DEVELOPMENT	236,666.36	12,346.13	147,825.01	62.46	0.00	88,841.35
104-NON-DEPARTMENTAL	776,632.00	10,218.24	359,775.65	46.33	0.00	416,856.35
105-MAIN STREET DEPARTMEN	155,476.12	6,946.96	104,720.99	67.36	0.00	50,755.13
106-ECONOMIC DEVELOPMENT	0.00	0.00	9.90	0.00	0.00	(9.90)
107-BUILDING MAINTENANCE	227,722.36	12,972.77	159,838.46	70.19	0.00	67,883.90
108-CITY SECRETARY DEP	135,304.12	23,410.46	113,465.96	83.86	0.00	21,838.16
109-FINANCE DEPARTMENT	259,025.36	16,516.71	218,168.76	84.23	0.00	40,856.60
110-HOTEL/MOTEL	0.00	0.00	116.12	0.00	0.00	(116.12)
201-PARKS DEPARTMENT	718,492.08	34,032.07	501,900.15	69.85	0.01	216,591.92
202-SWIMMING POOL DEPARTM	37,249.00	0.00	601.40	1.61	0.00	36,647.60
204-RECREATION DEPARTMENT	12,194.00	0.00	163.66	1.34	0.00	12,030.34
206-INDEPENDENCE GOLF CO	271,250.24	12,944.18	195,455.32	72.06	0.00	75,794.92
301-FIRE DEPARTMENT	1,535,368.20	51,926.10	1,109,606.30	73.11	12,850.00	412,911.90
501-POLICE DEPARTMENT	2,498,981.24	135,202.54	1,949,658.54	78.02	0.00	549,322.70
504-ANIMAL CONTROL DEPART	157,030.12	8,607.92	110,657.17	70.47	0.00	46,372.95
550-MUNICIPAL COURT DEPT.	188,836.24	5,256.02	89,003.79	47.13	0.00	99,832.45
602-AIRPORT DEPARTMENT	92,100.00	29.31	67,189.05	72.95	0.00	24,910.95
603-STREETS DEPARTMENT	929,778.86	23,758.63	793,613.83	85.59	2,147.83	134,017.20
650-LIBRARY DEPARTMENT	276,791.48	13,603.63	201,397.29	72.76	0.00	75,394.19
660-MUSEUM DEPARTMENT	162,945.12	3,583.18	66,676.51	40.92	0.00	96,268.61
*** TOTAL EXPENDITURES ***	9,002,608.14	387,958.50	6,437,032.61	71.67	14,997.84	2,550,577.69
** REVENUES OVER(UNDER) EXPENDITURES **	(189,599.14)	(139,754.05)	509,045.12	260.57-	(14,997.84)	(683,646.42)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

203-JB WELLS PARK FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
404-PARKS FEES REVENUE	643,143.00	39,340.00	316,067.60	49.14	0.00	327,075.40
406-MISCELLANEOUS REVENUE	7,968.00	0.00	0.00	0.00	0.00	7,968.00
*** TOTAL REVENUES ***	651,111.00	39,340.00	316,067.60	48.54	0.00	335,043.40
EXPENDITURE SUMMARY						
203-JB WELLS PARK	705,673.72	21,178.04	401,155.41	56.85	0.00	304,518.31
*** TOTAL EXPENDITURES ***	705,673.72	21,178.04	401,155.41	56.85	0.00	304,518.31
** REVENUES OVER(UNDER) EXPENDITURES **	(54,562.72)	18,161.96	(85,087.81)	155.94	0.00	30,525.09

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

210-ELECTRIC FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	0.00	0.00	0.00	0.00	0.00	0.00
710-ELECTRIC DEPARTMENT	10,939,850.00	861,142.46	7,780,772.53	71.12	0.00	3,159,077.47
750-REVENUE COLLECTION	221,727.00	2,703.04	188,824.36	85.16	0.00	32,902.64
809-HYDRO PLANT CONST.	100.00	0.00	85.84	85.84	0.00	14.16
*** TOTAL REVENUES ***	11,161,677.00	863,845.50	7,969,682.73	71.40	0.00	3,191,994.27
EXPENDITURE SUMMARY						
710-ELECTRIC DEPARTMENT	10,753,843.73	136,235.57	6,457,455.56	60.30	27,375.00	4,269,013.17
750-REVENUE COLLECTIONS	257,769.48	14,084.73	202,064.87	78.39	0.00	55,704.61
809-HYDRO PLANT CONST.	328,400.00	940.00	331,556.37	100.96	0.00	(3,156.37)
*** TOTAL EXPENDITURES ***	11,340,013.21	151,260.30	6,991,076.80	61.89	27,375.00	4,321,561.41
** REVENUES OVER(UNDER) EXPENDITURES **	(178,336.21)	712,585.20	978,605.93	533.39-	(27,375.00)	(1,129,567.14)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

220-WATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	0.00	0.00	0.00	0.00	0.00	0.00
720-WATER PRODUCTION DEPT	2,166,600.00	193,032.31	1,638,458.26	75.62	0.00	528,141.74
*** TOTAL REVENUES ***	2,166,600.00	193,032.31	1,638,458.26	75.62	0.00	528,141.74
EXPENDITURE SUMMARY						
720-WATER PRODUCTION DEPT	2,151,712.60	46,660.56	1,333,553.42	62.61	13,644.62	804,514.56
722-SERIES 2011 DEBT SERV	0.00	0.00	0.00	0.00	0.00	0.00
*** TOTAL EXPENDITURES ***	2,151,712.60	46,660.56	1,333,553.42	62.61	13,644.62	804,514.56
** REVENUES OVER (UNDER) EXPENDITURES **	14,887.40	146,371.75	304,904.84	956.42	(13,644.62)	(276,372.82)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

230-WASTEWATER FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
730-WASTEWATER COLLECTION	1,454,000.00	111,638.59	1,036,328.65	71.27	0.00	417,671.35
*** TOTAL REVENUES ***	1,454,000.00	111,638.59	1,036,328.65	71.27	0.00	417,671.35
EXPENDITURE SUMMARY						
730-WASTEWATER COLLECTION	1,523,927.56	49,003.08	933,573.80	74.89	207,746.30	382,607.46
*** TOTAL EXPENDITURES ***	1,523,927.56	49,003.08	933,573.80	74.89	207,746.30	382,607.46
** REVENUES OVER (UNDER) EXPENDITURES **	(69,927.56)	62,635.51	102,754.85	150.14	(207,746.30)	35,063.89

C I T Y O F G O N Z A L E S
F I N A N C I A L S T A T E M E N T
A S O F : J U L Y 3 1 S T , 2 0 2 0

240-SOLID WASTE FUND

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
740-SOLID WASTE DEPARTMEN	908,850.00	64,142.37	710,566.23	78.18	0.00	198,283.77
*** TOTAL REVENUES ***	908,850.00	64,142.37	710,566.23	78.18	0.00	198,283.77
EXPENDITURE SUMMARY						
740-SOLID WASTE DEPARTMEN	864,354.24	7,717.41	601,220.25	69.56	0.00	263,133.99
*** TOTAL EXPENDITURES ***	864,354.24	7,717.41	601,220.25	69.56	0.00	263,133.99
** REVENUES OVER(UNDER) EXPENDITURES **	44,495.76	56,424.96	109,345.98	245.74	0.00	(64,850.22)

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

300-CAPITAL PROJECTS-BUSINESS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
REVENUE SUMMARY						
300-CAPITAL PROJECTS-BUS	125,000.00	0.00	48,994.73	39.20	0.00	76,005.27
*** TOTAL REVENUES ***	125,000.00	0.00	48,994.73	39.20	0.00	76,005.27
EXPENDITURE SUMMARY						
301-STREETS	2,194,800.00	10,675.00	294,665.76	13.43	0.00	1,900,134.24
302-WASTEWATER	1,134,000.00	12,222.50	76,000.00	6.70	0.00	1,058,000.00
303-ELECTRIC	0.00	0.00	0.00	0.00	0.00	0.00
304-WATER	2,367,629.00	12,222.50	585,473.79	24.73	0.00	1,782,155.21
*** TOTAL EXPENDITURES ***	5,696,429.00	35,120.00	956,139.55	16.78	0.00	4,740,289.45
** REVENUES OVER (UNDER) EXPENDITURES **	(5,571,429.00)	(35,120.00)	(907,144.82)	16.28	0.00	(4,664,284.18)

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

400-DSF GOVERNMENT ACTIVITIES

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
400-DSF GOVERNMENT ACT.	1,047,510.00	126,467.50	1,073,598.40	102.49	0.00	(26,088.40)
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL REVENUES ***	1,047,510.00	126,467.50	1,073,598.40	102.49	0.00	(26,088.40)
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
EXPENDITURE SUMMARY						
400-DSF GOVERNMENT ACT.	1,046,860.00	0.00	780,785.00	74.58	0.00	266,075.00
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL EXPENDITURES ***	1,046,860.00	0.00	780,785.00	74.58	0.00	266,075.00
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
** REVENUES OVER(UNDER) EXPENDITURES **	650.00	126,467.50	292,813.40	48.22	0.00	(292,163.40)
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

CITY OF GONZALES
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

500-RESTRICTED USE FUNDS

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
410-TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL/MOTEL	360,000.00	61,418.62	319,790.07	88.83	0.00	40,209.93
812-MEMORIAL MUSEUM	12,440.00	325.00	25,566.52	205.52	0.00	(13,126.52)
813-FORFEITURES	10,650.00	0.00	2,083.12	19.56	0.00	8,566.88
814-MUNICIPAL COURT	6,600.00	47.59	2,329.20	35.29	0.00	4,270.80
815-ROBERT L BROTHERS	93,745.00	0.00	9,702.99	10.35	0.00	84,042.01
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*** TOTAL REVENUES ***	483,435.00	61,791.21	359,471.90	74.36	0.00	123,963.10
	-----	-----	-----	-----	-----	-----
EXPENDITURE SUMMARY						
810-JB WELLS EXPO CENTER	0.00	0.00	0.00	0.00	0.00	0.00
811-HOTEL MOTEL	480,195.12	43,267.65	298,335.42	62.13	0.00	181,859.70
812-MEMORIAL MUSEUM	25,000.00	6,000.00	9,399.89	37.60	0.00	15,600.11
813-FORFEITURES	17,000.00	0.00	5,000.00	29.41	0.00	12,000.00
814-MUNICIPAL COURT	19,000.00	0.00	0.00	0.00	0.00	19,000.00
815-ROBERT L BROTHERS	43,700.00	485.75	19,861.35	45.45	0.00	23,838.65
	-----	-----	-----	-----	-----	-----
*** TOTAL EXPENDITURES ***	584,895.12	49,753.40	332,596.66	56.86	0.00	252,298.46
	-----	-----	-----	-----	-----	-----
** REVENUES OVER(UNDER) EXPENDITURES **	(101,460.12)	12,037.81	26,875.24	26.49-	0.00	(128,335.36)
	-----	-----	-----	-----	-----	-----

C I T Y O F G O N Z A L E S
FINANCIAL STATEMENT
AS OF: JULY 31ST, 2020

700-GONZALES ECONOMIC DEV

	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE

REVENUE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,033,000.00	69,632.94	811,709.53	78.58	0.00	221,290.47
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL REVENUES ***	1,033,000.00	69,632.94	811,709.53	78.58	0.00	221,290.47
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
EXPENDITURE SUMMARY						
700-ECONOMIC DEVELOPMENT	1,323,216.12	105,749.33	928,914.54	70.20	0.00	394,301.58
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
*** TOTAL EXPENDITURES ***	1,323,216.12	105,749.33	928,914.54	70.20	0.00	394,301.58
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
** REVENUES OVER(UNDER) EXPENDITURES **	(290,216.12)	(36,116.39)	(117,205.01)	40.39	0.00	(173,011.11)
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
100-GENERAL FUND			
=====			
<u>CASH</u>			
100 1-001.000	CASH - GENERAL FUND	773,373.47	
100 1-101.505	CASH - AIRPORT IMPROVEMENT	64,427.76	
100 1-101.702	CASH - IND PARK IMPT OIL	0.00	

TOTAL CASH		837,801.23	
<u>INVESTMENTS</u>			
100 1-103.409	RBFCU-SAVINGS ACCOUNT		0.00
100 1-103.410	CERT OF DEPOSIT-RANDOLPH BROOK		278,939.38
100 1-103.413	MILLER EST. OIL & GAS ROYALTY		14,683.93
100 1-103.419	LIBRARY RESTRICTED USE-DONATIO		0.00
100 1-103.702	IND PARK IMPROVE OIL - INVEST.		0.00

TOTAL INVESTMENTS			293,623.31
<u>POOLED INVESTMENTS</u>			
100 1-104.002	TEXPOOL- GENERAL FUND		1,271,342.09
100 1-104.604	TEXPOOL - ARMORY LEASE		0.00
100 1-104.702	TEXPOOL - IND PARK IMPT OIL		0.00
100 1-104.703	TEXPOOL - LEWIS PROPERTY		0.00

TOTAL POOLED INVESTMENTS			1,271,342.09

TOTAL 100-GENERAL FUND		837,801.23	1,564,965.40
203-JB WELLS FUND			
=====			
<u>CASH</u>			
203 1-001.000	CASH - JB WELLS	(227,133.86)	

TOTAL CASH		(227,133.86)	

TOTAL 203-JB WELLS PARK FUND		(227,133.86)	0.00
210-ELECTRIC FUND			
=====			
<u>CASH</u>			
210 1-001.000	CASH - ELECTRIC FUND	1,374,205.81	
210 1-001.499	CASH -HYDRO CO'S	0.00	
210 1-001.500	CASH - HYDRO BOND I & S	0.00	
210 1-001.600	CONFIDENTIALITY FEE	0.00	
210 1-001.606	CASH CUSTOMER METER DEPOSIT	180,279.92	

TOTAL CASH		1,554,485.73	

CASH & INVESTMENTS BY FUND

AS OF: JULY 31ST, 2020

JULY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
<u>INVESTMENTS</u>			
210 1-103.000	AGENCY SECURITIES - ELECTRIC		0.00
210 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
210 1-103.410	CERT OF DEP - SOUTH STAR BANK		273,604.92
210 1-103.411	CERT OF DEPOSIT - RBFCU		0.00
210 1-103.606	CUSTOMER METER DEPOSITS - INVT		0.00
210 1-103.706	ELEC CAPITAL IMPROVEMENT-INST.		0.00
TOTAL INVESTMENTS			273,604.92
<u>POOLED INVESTMENTS</u>			
210 1-104.000	TEXPOOL- UNDESIGNATED		0.00
210 1-104.001	TEXPOOL-HYDRO CO'S		0.00
210 1-104.002	TEXPOOL- ELECTRIC FUND		1,780,605.20
210 1-104.606	TEXPOOL - CUSTOMER METER DEP		0.00
210 1-104.706	TEXPOOL - JOHNSON ST PROP		0.00
TOTAL POOLED INVESTMENTS			1,780,605.20
TOTAL 210-ELECTRIC FUND		1,554,485.73	2,054,210.12
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220-WATER FUND			
=====			
<u>CASH</u>			
220 1-001.000	CASH - WATER FUND	696,239.43	
220 1-001.606	CASH CUSTOMER METER DEPOSITS	17,704.00	
TOTAL CASH		713,943.43	
<u>INVESTMENTS</u>			
220 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
220 1-103.411	CERTIFICATE OF DEPOSIT-SAGE		0.00
220 1-103.606	CUSTOMER METER DEPOSITS - INVT		0.00
TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
220 1-104.000	TEXPOOL - WATER FUND		0.00
220 1-104.001	TEXPOOL CONSTRUCTION		0.00
220 1-104.002	TEXPOOL- WATER FUND		101,748.88
220 1-104.606	CUSTOMER METER DEPOSIT - TXPOL		0.00
TOTAL POOLED INVESTMENTS			101,748.88
TOTAL 220-WATER FUND		713,943.43	101,748.88

CASH & INVESTMENTS BY FUND

AS OF: JULY 31ST, 2020

JULY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
230-WASTEWATER FUND			
=====			
<u>CASH</u>			
230 1-001.000	CASH - WASTEWATER FUND	347,374.89	
230 1-001.606	CASH CUSTOMER METER DEPOSIT	0.00	

TOTAL CASH		347,374.89	
<u>INVESTMENTS</u>			
230 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
230 1-103.403	CERT OF DEPOSIT - I&S BOND RES		0.00
230 1-103.411	CERT. OF DEP - SOUTH STAR BANK		275,735.05

TOTAL INVESTMENTS			275,735.05
<u>POOLED INVESTMENTS</u>			
230 1-104.000	TEXPOOL - WASTEWATER		0.00
230 1-104.002	TEXPOOL- WASTEWATER FUND		508,744.40

TOTAL POOLED INVESTMENTS			508,744.40
		-----	-----
TOTAL 230-WASTEWATER FUND		347,374.89	784,479.45
<hr/>			
240-SOLID WASTE			
=====			
<u>CASH</u>			
240 1-001.000	CASH - SOLID WASTE FUND	116,351.24	
240 1-001.606	CASH CUSTOMER GARBAGE DEP	0.00	

TOTAL CASH		116,351.24	
<u>INVESTMENTS</u>			
240 1-103.000	INVESTMENTS AGENCY SECURITIES		0.00
240 1-103.402	INVESTMENTS - I & S REVENUE BD		0.00
240 1-103.403	INVESTMENTS - I & S BOND RES		0.00

TOTAL INVESTMENTS			0.00
<u>POOLED INVESTMENTS</u>			
240 1-104.000	TEXPOOL - SOLID WASTE FUND		0.00
240 1-104.100	TEXASTERM		0.00
240 1-104.402	TEXPOOL - I & S REVENUE BOND		0.00
240 1-104.403	TEXPOOL - I & S BOND RESERVE		0.00

TOTAL POOLED INVESTMENTS			0.00
		-----	-----
TOTAL 240-SOLID WASTE FUND		116,351.24	0.00

CASH & INVESTMENTS BY FUND

AS OF: JULY 31ST, 2020

JULY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
250-DSF PROPRIETARY			
=====			
<u>CASH</u>			
250 1-001.000	CASH-DSF PROPRIETARY	0.00	

	TOTAL CASH	0.00	

	TOTAL 250-DSF PROPRIETARY	0.00	0.00

300-CAPITAL PROJECTS-BUS			
=====			
<u>CASH</u>			
300 1-001.000	CASH CONTROL - CAPITAL PROJ	0.00	
300 1-101.301	BOND - CIP	0.00	

	TOTAL CASH	0.00	
<u>POOLED INVESTMENTS</u>			
300 1-104.101	CASH-CO SERIES 2019 CIP STREET		1,924,164.77
300 1-104.102	CASH-CO SERIES 2019 CIP W/W		1,070,378.15
300 1-104.103	CASH-CO SERIES 2019 CIP WATER		1,821,872.36
300 1-104.104	CASH-CO SERIES 2019 CIP GEN.		84,499.78

	TOTAL POOLED INVESTMENTS		4,900,915.06
		-----	-----
	TOTAL 300-CAPITAL PROJECTS-BUSINESS	0.00	4,900,915.06

400-DSF GOVERNMENTAL ACTI			
=====			
<u>CASH</u>			
400 1-001.000	CASH - CONTROL ACCT	0.00	
400 1-001.101	CASH-DSF GOV. ACTIVITIES	351,988.62	

	TOTAL CASH	351,988.62	

	TOTAL 400-DSF GOVERNMENT ACTIVITIES	351,988.62	0.00

500-RESTRICTED USE FUNDS			
=====			
<u>CASH</u>			
500 1-001.000	CASH - CONTROL ACCT	(25,430.06)	
500 1-001.501	CASH - TEXAS CAPITAL	0.00	
500 1-001.502	CASH - HOTEL MOTEL TAX	822,342.65	
500 1-001.503	CASH - MUSEUM FUNDS	40,136.47	
500 1-001.504	CASH - FORFEITURES	23,932.70	

CASH & INVESTMENTS BY FUND

AS OF: JULY 31ST, 2020

JULY 31ST, 2020

FUND-ACCT. NO.	ACCOUNT NAME	CASH	INVESTMENTS
500 1-001.505	CASH - MUN CRT CHILD SAFETY	16,899.92	
500 1-001.506	CASH - MUN CRT SECURITY	26,879.57	
500 1-001.507	CASH - MUN CRT TECH	4,690.70	
500 1-001.508	CASH - SPECIAL EXPENSE	6,644.84	
500 1-001.509	CASH - AIRPORT IMPT	0.00	
500 1-001.510	PEG FRANCHISE (RESTRICTED USE)	0.00	
500 1-001.511	ROBERT LEE BROTHERS JR LIBRARY	107,072.28	
TOTAL CASH		1,023,169.07	
TOTAL 500-RESTRICTED USE FUNDS		1,023,169.07	0.00

700-COMPONENT UNIT
=====

CASH

700 1-001.000	CASH -CONTROL ACCOUNT	0.00
700 1-001.101	CASH - ECONOMIC DEV CORP	2,704,566.19
TOTAL CASH		2,704,566.19

INVESTMENTS

700 1-103.412	CERT OF DEPOSIT-SAGE CAPITAL	0.00
700 1-103.419	RBFCU- BASIC BUSINESS CHECKING	0.00
700 1-103.420	RBFCU - MONEY MARKET ACCT	0.00
700 1-103.430	SAVINGS ACCT - RBFCU	0.00
TOTAL INVESTMENTS		0.00

POOLED INVESTMENTS

700 1-104.000	TEXPOOL - ECONOMIC DEV	0.00
TOTAL POOLED INVESTMENTS		0.00
TOTAL 700-GONZALES ECONOMIC DEV		2,704,566.19

FUND TOTAL OTHER INVESTMENTS	842,963.28
FUND TOTAL POOLED INVESTMENTS	8,563,355.63

TOTAL CASH AND INVESTMENTS	7,422,546.54	9,406,318.91
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*** END OF REPORT ***



CITY OF GONZALES PORTFOLIO
QUARTERLY REPORT FOR THE PERIOD ENDING
6/30/2020

Description	Yield Rate	Purchase / Renewal Date	Maturity Date	Book Value 03/31/20	Market Value 03/31/20	Accrued Interest 03/31/20	Book Value 06/30/20	Market Value 06/30/20	Accrued Interest 06/30/20
<u>Investment Pools</u>									
Texpool - General Fund	N/A	N/A	N/A	1,270,458.77	1,270,458.77	-	1,271,342.09	1,271,342.09	-
Texpool - Electric Fund	N/A	N/A	N/A	1,779,217.03	1,779,217.03	-	1,780,605.20	1,780,605.20	-
Texpool - Water Fund	N/A	N/A	N/A	101,669.60	101,669.60	-	101,748.88	101,748.88	-
Texpool - Wastewater Fund	N/A	N/A	N/A	508,347.80	508,347.80	-	508,744.40	508,744.40	-
Texpool - Cert. of Obligation 2019	N/A	N/A	N/A	5,221,011.05	5,221,011.05	-	5,020,005.06	5,020,005.06	-
<u>Certificates of Deposit</u>									
General Fund - (RBFCU) 100-1-103.410	1.750%	3/20/2020	3/19/2022	277,725.89	277,725.89	1,208.36	278,939.38	278,939.38	1,213.49
Electric Fund - (SSB) 210-1-103.410	1.820%	12/11/2019	12/11/2021	272,355.52	272,355.52	1,227.50	273,604.92	273,604.92	1,249.40
Wastewater Fund - (SSB) 230-1-103.411	2.270%	9/13/2019	10/13/2020	274,166.37	274,166.37	1,542.90	275,735.05	275,735.05	1,568.68
TOTAL PORTFOLIO				9,704,952.03	9,704,952.03	3,978.76	9,510,724.98	9,510,724.98	4,031.57

CITY OF GONZALES PORTFOLIO SUMMARY
Activity for Quarter Ending
June 30, 2020

	Book Value	Market Value	Ratio
Total Investments at beginning of Quarter	9,704,952.03	9,704,952.03	100.00%
Investment Pool Interest Reinvested	6,876.38	6,876.38	
Investment Pool Increases	0.00	0.00	
Investment Pool Withdrawals	205,135.00	205,135.00	
Agency Security Purchases	0.00	0.00	
Agency Security Maturities/Called	0.00	0.00	
Certificate of Deposit Purchases	0.00	0.00	
Change in Market Value in CDs	4,031.57	4,031.57	
Investments at End of Quarter	9,510,724.98	9,510,724.98	100.00%

As of 6/30/2020 all investments are in compliance with the Investment Policy of the City of Gonzales.


 Yvonne Zella, Finance Director

 Tiff Patek, City Manager

CITY OF GONZALES PORTFOLIO
QUARTERLY REPORT FOR THE PERIOD ENDING
6/30/2020

<u>Weighted Average Maturity</u>	<u>Yield Rate</u>	<u>Maturity Date</u>	<u>Book Value</u>	<u>Percentage of Portfolio</u>	<u>Days to Maturity</u>	<u>Weighted Average</u>
TexPools			8,682,445.63	0.912911	1	0.91
RBFCU - General Fund	1.750%	3/19/2022	278,939.38	0.029329	627	18.39
Lone Star Bank - Electric	1.820%	12/11/2021	273,604.92	0.028768	529	15.22
Lone Star Bank - Wastewater	2.270%	10/13/2020	275,735.05	0.028992	105	3.04
TOTAL PORTFOLIO			9,510,724.98	100%	1,262	37.56