

**SPECIAL, 1/26/2021 10:30:00 AM**

BE IT REMEMBERED that on January 26, 2021, there was begun and holden a SPECIAL session of the Commissioners Court of Jefferson County, Texas, with the following members and officers present and participating except those absent as indicated:

Honorable Jeff Branick, County Judge

Commissioner Vernon Pierce, Commissioner Pct. No. 1

Commissioner Brent Weaver, Commissioner Pct. No. 2

Commissioner Michael Sinegal, Commissioner Pct. No. 3

Commissioner Everette D. Alfred, Commissioner Pct. No. 4  
(ABSENT)

Honorable Zena Stephens, Sheriff

Honorable Carolyn L. Guidry , County Clerk (ABSENT) -

Theresa Goodness, Chief Deputy

When the following proceedings were had and orders made, to-wit:

*Notice of Meeting and Agenda and Minutes*  
*January 26, 2021*

Jeff R. Branick, County Judge  
 Vernon Pierce, Commissioner, Precinct One  
 Brent A. Weaver, Commissioner, Precinct Two  
 Michael S. Sinegal, Commissioner, Precinct Three  
 Everette "Bo" Alfred, Commissioner, Precinct Four



**NOTICE OF MEETING AND AGENDA  
 OF COMMISSIONERS' COURT  
 OF JEFFERSON COUNTY, TEXAS  
 January 26, 2021**

Notice is hereby given that the Commissioners' Court of Jefferson County, Texas, will meet at **10:30 AM**, on the **26th** day of **January 2021** at its regular meeting place in the Commissioners' Courtroom, 4th Floor, Jefferson County Courthouse, 1149 Pearl Street, Beaumont, Texas.

Said meeting will be a **Special** for the purpose of transacting the routine business of the County. Persons with disabilities requiring auxiliary aids for services who wish to attend this meeting should contact the County Judge's Office to arrange for assistance.

In addition to the routine business of the County, the subject of said meeting will be the following:

10:00 a.m. - Announcement of an executive (closed) session pursuant to Texas Government Code Section § 551.074 regarding deliberations about a personnel matter.

Jefferson County has taken steps to minimize the exposure of COVID-19 by implementing the following steps to allow the public to view the Commissioner's Court meeting. The following options are available: View live with audio from the County Webpage: [https://co.jefferson.tx.us/comm\\_crt/commmlink.htm](https://co.jefferson.tx.us/comm_crt/commmlink.htm) Listen to audio by calling 346-248-7799 Meeting ID: 917 160 6532# Participant ID: #The court will also have a question and answer session at the end of the meeting. If you would like to ask any questions of the Court, please be on the phone call. The Court will give a question and answer session at the end of the meeting as time allows. You will be called upon by your last 4 digits of your phone number. If you do not have any questions, you can pass. Please be mindful that the audio portion of this meeting will be of better quality from the website.

**INVOCATION: Michael S. Sinegal, Commissioner, Precinct Three**



*Notice of Meeting and Agenda and Minutes*  
*January 26, 2021*

**PLEDGE OF ALLEGIANCE: Everett "Bo" Alfred, Commissioner,  
Precinct Four**

## **PURCHASING:**

1. Consider and approve, execute, receive and file a contract extension for (IFB 16-001/YS), Term Contract for Motor Fuel for Jefferson County with Spidle Oil Company for an additional two (2) weeks, to expire March 11, 2021.

**SEE ATTACHMENTS ON PAGES 15 - 15**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

2. Consider and approve, execute, receive and file a contract for Invitation for Bid (IFB 20-052/YS), Keith Lake Boat Ramp Modification with MK Constructors for \$79,900.00.

**SEE ATTACHMENTS ON PAGES 16 - 24**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

3. Consider and approve, execute, receive and file a Purchase Agreement for the purchase of thirty (30) burial spaces in accordance with (IFB 18-036/YS), Term Contract for Indigent Burial Plots for Jefferson County with Claybar Haven of Rest Cemetery. The purchase price is \$305.00 each, for a total of \$9,150.00.

**SEE ATTACHMENTS ON PAGES 25 - 27**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

***Notice of Meeting and Agenda and Minutes  
January 26, 2021***

4. Consider and approve, execute, receive and file Job Order Contract (JOC 21-002/DC) with SETEX Facilities & Maintenance for the Jefferson County Sheriff's Marine Division Repairs Due to Hurricane Laura in the amount of \$44,282.10; in accordance with Choice Partners JOC Texas Contract 15/041JN-11-2015.

**SEE ATTACHMENTS ON PAGES 28 - 34**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

**CONSTABLE PRECINCT 6:**

5. Consider and possibly approve the hiring of Aqua R. Delco as a Deputy Constable with Constable, Precinct 6 in accordance with Local Government Code (LGC) 86.011.

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

**COUNTY AUDITOR:**

6. Consider and approve budget transfer – Service Center – purchase of new oil pump and reel.

120-8095-417-3084	MINOR EQUIPMENT	\$2,030.00	
120-8095-417-4009	BUILDINGS AND GROUNDS		\$2,030.00

**SEE ATTACHMENTS ON PAGES 35 - 36**

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

7. Consider and approve electronic disbursements for \$1,800,000 to State Comptroller for the first half of IGT of indigent health care.

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

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8. Consider and approve applying for the BJA FY 2020 State Criminal Alien Assistance Program.

**SEE ATTACHMENTS ON PAGES 37 - 62**

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

9. Regular County Bills – check #479056 through checks #479257.

**SEE ATTACHMENTS ON PAGES 63 - 70 & 231**

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

**COUNTY COMMISSIONERS:**

10. Consider, possibly approve and authorize the County Judge to extend the Declaration of Local Disaster dated 03-13-2020, Pursuant to Section 418.108 (b) of the Texas Government Code.

**SEE ATTACHMENTS ON PAGES 71 - 71**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

11. Consider and possibly approve a Resolution to renew and extend the Disaster Declaration issued for Hurricane Delta.

**SEE ATTACHMENTS ON PAGES 72 - 72**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

12. Consider and possibly approve extending the Disaster Declaration for Hurricane Laura.

**SEE ATTACHMENTS ON PAGES 73 - 73**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

13. Conduct a Public Hearing regarding the establishment of the GT Logistics Reinvestment Zone Pursuant to Sec. 312.401 et seq. Texas Property Tax Code.

**Public Hearing conducted. Tim Dispane spoke thanking the Court for consideration of this item.**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

14. Conduct a Public Hearing regarding approval of a property Tax Agreement for GT Logistics for property located within the GT Logistics Reinvestment Zone Pursuant to Sec. 312.401 et seq. Texas Property Tax Code.

**Public Hearing conducted. No public comment.**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

15. Consider, possibly approve and execute an Order of the Commissioners Court of Jefferson County, Texas Designating a Reinvestment Zone for GT Logistics Pursuant to Sec. 312.401 of the Texas Property Tax Code.

**SEE ATTACHMENTS ON PAGES 74 - 76**

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

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16. Consider and possibly approve and authorize the County Judge to execute an Abatement Agreement for Property located in the GT Logistics Reinvestment Zone Pursuant to Sec. 312.401, Texas Property Tax Code.

**SEE ATTACHMENTS ON PAGES 77 - 118**

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

17. Consider and possible approve Resolution commending Commissioner Eddie Arnold for 16 years of service to Jefferson County and wishing him well in his retirement.

**SEE ATTACHMENTS ON PAGES 119 - 119**

**Motion by: Commissioner Pierce**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

18. Consider and approve the appointment of Sheri Arnold, by Commissioner Vernon Pierce, as Commissioner to the Sabine-Neches Navigation District to fulfill his unexpired term.

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

19. Consider and possibly approve a Resolution approving the grant application to the Criminal Justice Division, Office of the Governor for the Jefferson County Family Treatment Drug Court for the FYI 2021-2022 fiscal year.

**SEE ATTACHMENTS ON PAGES 120 - 120**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

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20. Consider and possibly approve a Resolution approving the grant application to the Criminal Justice Division, Office of the Governor for the Adult Specialty Drug Court for the 2021-2022 fiscal year.

**SEE ATTACHMENTS ON PAGES 121 - 121**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

21. Consider and possibly approve a Resolution in support of the grant application for the Jefferson County, Texas VAWA program through the Office of the Governor for FY 2021-2022 .

**SEE ATTACHMENTS ON PAGES 122 - 122**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

22. Consider, possibly approve, authorize the County Judge to execute, receive and file Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 relating to Hurricane Harvey Infrastructure-Ditch Cleanup, Crane Bayou Pump Station Generators, Mayhaw Bayou Drainage Study, Taylor's Bayou Channel Improvements and Hurricane Harvey Housing.

**SEE ATTACHMENTS ON PAGES 123 - 142**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **COUNTY TAX ASSESSOR-COLLECTOR:**

23. Consider and approve a property tax refund to Covius Mortgage Solutions in the amount of \$4,535.16 in accordance with Property Tax Code 31.11-Refund of overpayment in excess of \$2,500.

**SEE ATTACHMENTS ON PAGES 143 - 148**

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **COUNTY TREASURER:**

24. Receive and File Investment Schedule for December, 2020, including the year to date total earnings on County funds.

**SEE ATTACHMENTS ON PAGES 149 - 151**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

25. Review, consider, possibly approve, receive, and file the 2021 Jefferson County Investment Policy and Procedures.

**SEE ATTACHMENTS ON PAGES 152 - 221**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**



## **ENGINEERING:**

26. Consider and possibly approve a Minor Plat of a Called 23.271 acre tract into the Barnett Estates lying in the John Blair Survey, Abstract No. 4, located on Nolte Road in Precinct #1. This plat is not within any ETJ (extra-territorial jurisdiction) and has met all of our platting requirements.

**SEE ATTACHMENTS ON PAGES 222 - 223**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

27. Consider and possibly approve Tracts "A", I & II, 9.883 acres of land out of Lot 5 in the Theo F. Koch Subdivision and part of the E. Lopez League No. 37. This plat is located off of Brush Island Road in Precinct #3, and is not within any ETJ (extra-territorial jurisdiction). All of our platting requirements have been met.

**SEE ATTACHMENTS ON PAGES 224 - 225**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

28. Consider and possibly approve Preliminary Plat of the Cove at Taylor Landing Phase III, Lots 1 to 32. Block 1. This is a 4.501 Acre subdivision out of the 159.023 acre in A. Hotchkiss League Abstract 31. The subdivision is in the City of Port Arthur ETJ (extra-territorial jurisdiction) and has met all of the Jefferson County Engineering and City of Port Arthur platting requirements.

**SEE ATTACHMENTS ON PAGES 226 - 227**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **HISTORICAL COMMISSION:**

29. Consider and possibly approve appointing members of the Jefferson County Historical Commission for a two- year term Pursuant to Local Government Code 318.003 (b).

**SEE ATTACHMENTS ON PAGES 228 - 228**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **HUMAN RESOURCES:**

30. Consider and possibly approve granting extended leave without pay for up to 90 days for Kesha Devault, an employee of the Sheriff's Department.

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

31. Consider and possibly approve extending an offer for the position of County Engineer.

**Motion by: Commissioner Weaver**

**Second by: Commissioner Sinegal**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **RISK MANAGEMENT:**

32. Consider and possibly approve Commercial Property Insurance renewal with AmRisc, effective February 1, 2021, for an annual premium of \$1,519,839.06.

**Motion by: County Judge Branick**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

*Notice of Meeting and Agenda and Minutes*  
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33. Consider and possibly approve Boiler and Machinery Insurance renewal with Hartford Steam Boiler, effective February 1, 2021, for an annual premium of \$22,651.00.

**Motion by: County Judge Branick**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

34. Consider and possibly approve Government Crime Insurance renewal with Great American Insurance Company, effective February 1, 2021, for an annual premium of \$5,244.00.

**Motion by: County Judge Branick**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

35. Consider and possibly approve Excess Workers' Compensation Liability Insurance renewal with Colony Insurance Company, effective February 1, 2021, for an annual premium of \$191,021.00.

**Motion by: County Judge Branick**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

36. Consider and possibly approve Cyber Liability Insurance renewal with Crum & Forster, effective February 1, 2021, for an annual premium of \$38,581.00.

**Motion by: County Judge Branick**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **SHERIFF'S DEPARTMENT:**

37. Consider and possibly approve a Resolution recognizing Kenneth Richardson, for 11 years and 6 months of dedicated service to the Jefferson County Sheriff's Office and to the citizens of Jefferson County and in wishing him well in his retirement.

**SEE ATTACHMENTS ON PAGES 229 - 230**

**Motion by: Commissioner Sinegal**

**Second by: Commissioner Weaver**

**In favor: County Judge Branick, Commissioner Pierce, Commissioner Weaver, Commissioner Sinegal**

**Action: APPROVED**

## **Other Business:**

Receive reports from Elected Officials and staff on matters of community interest without taking action.

**\*\*\*DISCUSSION ON ANY OTHER ITEM NOT ON AGENDA WITHOUT TAKING ACTION.**

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**Jeff R. Branick**  
**County Judge**



**JEFFERSON COUNTY PURCHASING DEPARTMENT**  
**Deborah L. Clark, Purchasing Agent**

1149 Pearl Street, First Floor, Beaumont, TX 77701 409-835-8593 Fax 409-835-8456

**CONTRACT EXTENSION REQUEST**

January 14, 2021

Spidle Oil Company  
 401 West 19<sup>th</sup> Street  
 Port Arthur TX 77641  
 Attention: Mr. William Spidle

Re: (IFB 16-001/YS), Term Contract for Motor Fuel for Jefferson County

Dear Mr. Spidle:

Please be advised the above-referenced contract for Jefferson County will expire on **February 25, 2021**. It is requested that your company extend your current contract for an additional two (2) weeks, to expire March 11, 2021.

Please sign the acknowledgment below to indicate your agreement and return to our office by Wednesday, January 20, 2021. Jefferson County appreciates your cooperation with this extension.

Best regards,

Sincerely,

*Deborah Clark*

Deborah L. Clark  
 Purchasing Agent  
 Jefferson County, Texas

DC: ys

Price Extension Received and Accepted: January 21, 2021

Project Number: IFB 16-001/YS

Contractor: Spidle Oil Company

Signature: *William D Spidle*

Print Name and Title: William D Spidle

JEFFERSON COUNTY, TEXAS

*Jeff R. Branick*  
 Jeff R. Branick, County Judge



ATTEST:

*Carolyn L. Guidry*  
 Carolyn L. Guidry, County Clerk

## **CONTRACT**

This agreement made this 24th day of January, 2021, by and between the County of Jefferson, Texas represented by the County Judge, party of the first part, and **MK Constructors**, his/their executors, administrators, heirs, successors or assigns, the Contractor, party of the second part.

**WHEREAS**, the County desires to enter into a contract for IFB 20-052/YS, Keith Lake Boat Ramp Modification, as shown and described in the Contract Documents (to include plans, drawings, specifications, addenda, special provisions, and this Contract document itself) included herein, and

**WHEREAS**, the Contractor has been engaged in and now does such work and represents that he is fully equipped, competent and capable of performing the desired and herein outlined work and is ready and willing to perform such work in accordance with the unit prices listed herein and the provisions of the herein included in the Contract Documents, and special provisions now

**WITNESSETH:** That for and in consideration of the unit prices listed herein, a part of this contract, the Contractor agrees to do, at his own proper cost and expense, all the work necessary for project completion as shown and described in the plans and in accordance with the provisions of the plans, drawings, specifications, addenda, and special provisions which are a part of this contract.

### **CONTRACTOR'S REPRESENTATIONS:**

In order to induce Jefferson County to enter into this Agreement, Contractor makes the following representations:

Contractor has examined and carefully studied the Contract Documents (including plans, drawings, specifications, addenda, special provisions) identified in the Bidding Documents.

Contractor has visited the Site and/or become familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, and performance of the Work.

Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

Contractor is aware of the general nature of any work to be performed by Jefferson County and the others at the Site that relates to the Work as indicated in the Contract Documents.

Contractor has given Jefferson County written notice of all conflicts, errors, ambiguities, or discrepancies that contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer or Purchasing Department is acceptable to the Contractor.

The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

**LIQUIDATED DAMAGES:**

Liquidated damages will not be paid as part of this Contract.

**CONTRACT PRICE:**

Jefferson County shall pay Contractor the amount of \$ **79,900.00** for completion of the Work in accordance with Contract Documents including plans, specifications, addenda, and special provisions for Project: IFB 20-052/YS, Keith Lake Boat Ramp Modification.

All specific cash allowances are included in the above price and have been calculated in accordance with bid specifications and addenda (if applicable).

**CONTRACT TIMES:**

**Time for completion of this contract shall be calculated beginning on the effective date given in the Notice to Proceed.**

**The work to be constructed under this contract shall be completed in 30 working days.**

The County, in consideration of the full and true performance of said work by the Contractor, hereby agrees and binds itself to pay the Contractor for the quantities of work performed in compliance with this contract at the respective unit prices set forth herein, subject to adjustment as herein provided. The following items of work and respective unit prices are those contained in the original proposal and are a part of this contract. The County limits its obligation hereunder to the funds available.

The Contractor expressly warrants that he has employed no third person to solicit or obtain this contract in his behalf, or to cause or procure the same to be obtained upon compensation in any way contingent, in whole or in part, upon such procurement, or in compensation for services in connection therewith, any brokerage commission or percentage upon the amount receivable by him hereunder; and that he has not in estimating the contract price demanded by him, included any sum by reason of any such brokerage, commission or percentage; and that all moneys payable to him hereunder are free from all obligation of any other person for services rendered, or supposed to have been rendered, in the procurement of this contract. He further agrees that any breach of this warranty shall constitute adequate cause for the annulment of this contract by the County or for deduction from any sum due or to become due there under an amount equal to any brokerage commission or percentage so paid or agreed to be paid or both.

In the employment of labor in the performance of this contract, preference shall be given, other conditions being equal, to honorably discharged service personnel, but no other preference or discrimination among citizens of the United States shall be made.

It is acknowledged and agreed by the parties hereto that this contract is the full and complete contract for the construction of the work called for and described herein.

IN WITNESS WHEREOF, the parties hereto have set their hands the date herein named.

**COUNTY OF JEFFERSON**

Party of the First Part

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies, or work programs hereto approved and authorized by the Commissioners' Court of Jefferson County:

By: \_\_\_\_\_

Jeff R. Branick, County Judge

RECOMMENDED FOR EXECUTION:

\_\_\_\_\_  
Steven Stafford, Director of Engineering

**CONTRACTOR**

Party of the Second Part

By: \_\_\_\_\_

Printed Name & Title

Signature

Firm/Company Name

Kenneth D. Stewart  
President  
Kenneth D. Stewart  
3DS Constructors LLC  
2ba mk constructors



ATTEST: \_\_\_\_\_

Carolyn L. Guidry, County Clerk

DATE: \_\_\_\_\_

1/26/2021



# THE AMERICAN INSTITUTE OF ARCHITECTS



Bond No. 43BCSIM4235

AIA Document A311

## Performance Bond

**KNOW ALL MEN BY THESE PRESENTS:** that BDS Constructors, LLC dba M K Constructors  
(Here insert full name and address or legal title of Contractor)

P O Box 1208, Vidor, TX 77670

as Principal, hereinafter called Contractor, and, Hartford Fire Insurance Company  
(Here insert full name and address or legal title of Surety)

One Hartford Plaza, Hartford, CT 06155-0001

as Surety, hereinafter called Surety, are held and firmly bound unto Jefferson County, TX  
(Here insert full name and address or legal title of Owner)

1149 Pearl Street, 1st Floor, Beaumont, TX 77701

as Obligee, hereinafter called Owner, in the amount of Seventy Nine Thousand Nine Hundred Dollars and  
 00/100 Dollars (\$ 79,900.00 ),

for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

### WHEREAS,

Contractor has by written agreement dated , entered into a contract with Owner  
 for  
(Here insert full name, address and description of project) Project: IFB 20-052/YS-Keith Lake Boat Ramp Modification

in accordance with Drawings and Specifications prepared by

(Here insert full name and address or legal title of Architect)

which contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

## PERFORMANCE BOND

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Contractor shall promptly and faithfully perform said Contract, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the Owner.

Whenever Contractor shall be, and declared by Owner to be in default under the Contract, the Owner having performed Owner's obligations thereunder, the Surety may promptly remedy the default, or shall promptly

1) Complete the Contract in accordance with its terms and conditions, or

2) Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by Surety of the lowest responsible bidder, or, if the Owner elects, upon determination by the Owner and the Surety jointly of the lowest responsible bidder, arrange for a contract between such bidder and Owner, and make available as Work progresses (even though there should be a default or a succession of defaults under

the contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the contract price; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the contract price," as used in this paragraph, shall mean the total amount payable by Owner to Contractor under the Contract and any amendments thereto, less the amount properly paid by Owner to Contractor.

Any suit under this bond must be instituted before the expiration of two (2) years from the date on which final payment under the Contract falls due.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the heirs, executors, administrators or successors of the Owner.

Signed and sealed this

day of

ATTEST:

By:

  
(Witness)

BDS Constructors, LLC dba M K Constructors

(Principal)

(Seal)

By:

\*   
(Title) Pres

WITNESS:

By:

  
(Witness)

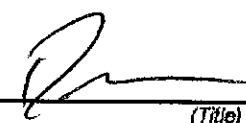
Susan McElveen

Hartford Fire Insurance Company

(Surety)

(Seal)

By:

  
(Title)

Douglas N. McElveen

Attorney-in-Fact

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

# POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MCELVEEN INSURANCE LLC

Agency Code: 43-483928

- ☒ **Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- ☒ **Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- ☒ **Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- ☐ **Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- ☐ **Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- ☐ **Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- ☐ **Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- ☐ **Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited:

Christine Baker, Douglas N. McElveen, Amanda McElveen, Kathy Peters, Benjamin Dennis Stine of LAKE CHARLES, Louisiana

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*John Gray*

John Gray, Assistant Secretary

*M. Ross Fisher*

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT

ss. Hartford

COUNTY OF HARTFORD

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

*Kathleen T. Maynard*

Kathleen T. Maynard  
Notary Public

My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of  
Signed and sealed at the City of Hartford.



*Kevin Heckman*

Kevin Heckman, Assistant Vice President

# THE AMERICAN INSTITUTE OF ARCHITECTS



Bond No. 43BCSIM4235

AIA Document A311

## Labor and Material Payment Bond

THIS BOND IS ISSUED SIMULTANEOUSLY WITH PERFORMANCE BOND IN FAVOR OF THE OWNER CONDITIONED ON THE FULL AND FAITHFUL PERFORMANCE OF THE CONTRACT

**KNOW ALL MEN BY THESE PRESENTS:** that BDS Constructors, LLC dba M K Constructors  
(Here insert full name and address or legal title of Contractor)

P O Box 1208, Vidor, TX 77670

as Principal, hereinafter called Principal, and, Hartford Fire Insurance Company  
(Here insert full name and address or legal title of Surety)

One Hartford Plaza, Hartford, CT 06155-0001

as Surety, hereinafter called Surety, are held and firmly bound unto Jefferson County, TX  
(Here insert full name and address or legal title of Owner)

1149 Pearl Street, 1st Floor, Beaumont, TX 77701

as Obligee, hereinafter called Owner, for the use and benefit of claimants as hereinbelow defined, in the

amount of Seventy Nine Thousand Nine Hundred Dollars and 00/100

(Here insert a sum equal to at least one-half of the contract price) Dollars (\$ 79,900.00 ),

for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

### WHEREAS,

Principal has by written agreement dated , entered into a contract with Owner  
for

(Here insert full name, address and description of project) Project: IFB 20-052/YS-Keith Lake Boat Ramp Modification

In accordance with Drawings and Specifications prepared by

(Here insert full name and address or legal title of Architect)

which contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

## LABOR AND MATERIAL PAYMENT BOND

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Principal shall promptly make payment to all claimants as hereinafter defined, for all labor and material used or reasonably required for use in the performance of the Contract, then this obligation shall be void, otherwise it shall remain in full force and effect, subject, however, to the following conditions:

1. A claimant is defined as one having a direct contract with the Principal or with a Subcontractor of the Principal for labor, material, or both, used or reasonably required for use in the performance of the Contract, labor and material being construed to include that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental of equipment directly applicable to the Contract.

2. The above named Principal and Surety hereby jointly and severally agree with the Owner that every claimant as herein defined, who has not been paid in full before the expiration of a period of ninety (90) days after the date on which the last of such claimant's work or labor was done or performed, or materials were furnished by such claimant, may sue on this bond for the use of such claimant, prosecute the suit to final judgment for such sum or sums as may be justly due claimant, and have execution thereon. The owner shall not be liable for the payment of any costs or expenses of any such suit.

3. No suit or action shall be commenced hereunder by any claimant:

a) Unless claimant, other than one having a direct contract with the Principal, shall have given written notice to any two of the following: the Principal, the Owner, or the Surety above named, within ninety (90) days after such claimant did or performed the last of the work or labor, or furnished the last of the materials for which said claim is made, stating with substantial accuracy the amount claimed

and the name of the party to whom the materials were furnished, or for whom the work or labor was done or performed. Such notice shall be served by mailing the same by registered mail or certified mail, postage prepaid, in an envelope addressed to the Principal, Owner or Surety, at any place where an office is regularly maintained for the transaction of business, or served in any manner in which legal process may be served in the state in which the aforesaid project is located, save that such service need not be made by a public officer.

b) After the expiration of one (1) year following the date on which principal ceased Work on said Contract, it being understood, however, that if any limitation embodied in this bond is prohibited by any law controlling the construction hereof such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law.

c) Other than in state court of competent jurisdiction in and for the county or other political subdivision of the state in which the Project, or any part thereof, is situated, or in the United States District Court for the district in which the Project, or any part thereof, is situated, and not elsewhere.

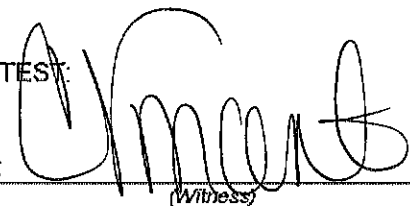
4. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety or mechanics' liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against this bond.

Signed and sealed this

day of

ATTEST:

By:

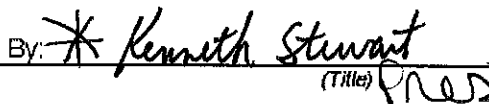
  
(Witness)

BDS Constructors, LLC dba M K Constructors

(Principal)

(Seal)

By:

  
(Title) Pres

WITNESS:

By:

  
(Witness)

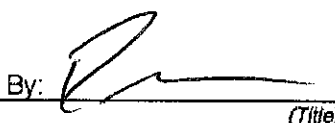
Susan McElveen

Hartford Fire Insurance Company

(Surety)

(Seal)

By:

  
(Title)

Douglas N. McElveen

Attorney-in-Fact

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

# POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MCELVEEN INSURANCE LLC

Agency Code: 43-483928

- ☒ **Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- ☒ **Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- ☒ **Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- ☐ **Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- ☐ **Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- ☐ **Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- ☐ **Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- ☐ **Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Christine Baker, Douglas N. McElveen, Amanda McElveen, Kathy Peters, Benjamin Dennis Stine of LAKE CHARLES, Louisiana

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*John Gray*

John Gray, Assistant Secretary

*M. Ross Fisher*

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

*Kathleen T. Maynard*

Kathleen T. Maynard  
Notary Public

My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of  
Signed and sealed at the City of Hartford.



*Kevin Heckman*

Kevin Heckman, Assistant Vice President



# CLAYBAR

Haven of Rest Cemetery

US Hwy 90 West, Beaumont, Texas 77713 • 409-892-3456

---

January 15, 2021

Crystal Jones  
Jefferson County Public Health Department  
1295 Pearl St.  
Beaumont, TX 77701

Dear Crystal,

Enclosed you will find a Purchase Agreement from Claybar Haven of Rest Cemetery for 30 indigent burial spaces at \$305.00/space; your reference **#IFB 18-036/YS**.

Please sign the attached contract and send it back to me. I will assign our contract number to it once payment is received. I will then forward you a copy with our contract number on it.

Just to be clear; these 30 spaces are **NOT** all that remain within the Garden of Serenity at Haven of Rest. We are in the process of platting more spaces within this garden for the county's future indigent burial needs.

Warren & I appreciate this opportunity to assist Jefferson County with its indigent burial program. Should you need anything else please call me.

Sincerely,

John D. Woods  
Haven of Rest

Enclosures (3)



CONTRACT # 2021-03-???

Hillcrest Memorial Gardens, Inc

Orange Forest Lawn

Claybar Haven of Rest

Burial # \_\_\_\_\_

P.O. Box 2060

P.O. Box 2060

Cemetery &amp; Crematory

Reference(s) # \_\_\_\_\_

4560 Hwy 87 South

2312 Irving

P.O. Box 27

Orange, Texas 77631-2060

Orange, Texas 77631-2060

Hwy 90 at Green Pond Road

(409) 735-7145

(409) 735-7145

Beaumont, Texas 77704

(409) 892-3456

Date: \_\_\_\_\_

**PURCHASE AGREEMENT**I, (We), Jefferson County Public Health Dept.

#IFB 18-036/YS

Email: \_\_\_\_\_

Address: 1295 PEARL ST.BEAUMONT, TX 77701Phone #: 409-835-8530

hereby agree to purchase, subject to the provisions on the reverse side of this agreement and the rules and regulations of:

☐ Hillcrest Memorial Gardens, Inc☐ Orange Forest Lawn☒ Claybar Haven of Rest & Crematory

(Hereinafter called "The Memorial Park") the number of interment, entombment, or inurnment space in the location described and any service or merchandise as so stated at the price and terms as follows:

**PROPERTY DESCRIPTION**Garden: SERENITYSection: \_\_\_\_\_ Lot: \*Block: \* Spaces: \*

Section: \_\_\_\_\_ Block: \_\_\_\_\_

Block: \_\_\_\_\_ Spaces: \_\_\_\_\_

No. of Spaces \_\_\_\_\_ Square Ft \_\_\_\_\_

Mausoleum Unit \_\_\_\_\_

Crypt \_\_\_\_\_ Level \_\_\_\_\_

Special Note: If any item listed is in reference to Memorialization, Granite, Scrolls and/or Service Arrangements an appropriate "MEMORIAL ORDER" and/or "REQUEST AND AUTHORIZATION" must be completed and made part of this agreement.

PAYMENT: \_\_\_\_\_

CFH/CKW/FF CONTRACT # \_\_\_\_\_

**MERCHANDISE - PROPERTY - SERVICES**

Price Itemization:

QTY

ITEM DESCRIPTION

COST

30 A. Ground Space.....\$245.96/ea.....\$7,378.80

B. Mausoleum.....\$.....

C. Niche.....\$.....

D. Discount.....\$.....

Net Property sale (A,B, or C-D).....\$.....

30 Perpetual Care.....\$59.04/ea.....\$1,771.20

Deed Fee.....\$.....

Liner Installation Fee.....\$.....

Opening &amp; Closing.....\$.....

E. Memorial.....\$.....

Memorial Installation Fee.....\$.....

F. Granite Base.....\$.....

G. Memorial Discount.....\$.....

Net Memorial Sales (E or F-G).....\$.....

Sales Tax.....\$.....

TOTAL PRICE (target).....\$.....

Allowance(s).....\$.....

Other Applicable Discounts.....\$.....

ADJUSTED SALES PRICE.....\$9,150.00

Notations: \* SEE SEPARATE ATTACHMENT FOR LOT, BLOCK & SPACE DESCRIPTIONS.

CREDITOR-SELLER:		HILLCREST MEMORIAL GARDENS, INC		
ANNUAL PERCENTAGE RATE (The cost of your credit as a yearly rate)	FINANCE CHARGE (The dollar amount the credit will cost you)	AMOUNT FINANCED (The amount of credit provide to You or on your behalf)	TOTAL OF PAYMENTS (The amount You will have paid after You have made all payments as scheduled)	TOTAL SALE PRICE (The total cost of your purchase on credit including your down payment of)
0.00 %	0.00 %	\$	\$	\$ _____
Your payment schedule is:				
Number of payments	Amount of payments	When payments are due		
	\$	Beginning _____ until paid in full		
0	\$ 0.00	N/A		
	\$			
PREPAYMENT: If You pay off early, You will not have to pay a penalty.				
ADDITIONAL INFORMATION: See your contract documents for information about nonpayment, default, the right to accelerate, and the requirement for payment in full before delivery of contracted goods and services by the Seller.				

**RIGHTS OF PURCHASER AND SELLER**

Buyer is entitled to and acknowledges receipt of a copy of this agreement and the Notice of Cancellation (on reverse side of contract) at the time Buyer(s) sign(s) this agreement. All parties have read and understand the terms and provisions of this agreement and all parties hereunder and when signed by the purchaser and signed by and accepted by an Executive Officer of "The Memorial Park" this agreement shall become effective and shall be binding on the parties hereto, their heirs, personal representatives and successors subject to the right of cancellation described hereafter. This agreement contains a complete agreement between the parties and no agent or representative has any authority to modify, add to or change the terms or conditions set forth herein. 1. Do not sign this contract before you read it or if it has any blank spaces. 2. You are entitled to an exact copy of the contract you sign. 3. Under the law you have the right, among others, to pay in advance the unpaid balance due under this contract and to obtain under certain conditions a partial refund of the Finance Charge.

I (We) have read this contract, including the back, and received a copy of the agreement IN WITNESS WHEREOF, the Buyer has executed

this 24th day of January, 2021

Buyer \_\_\_\_\_ FSA \_\_\_\_\_

Issue Deed to Jefferson County Public Health Dept.

Accepted By \_\_\_\_\_





# CLAYBAR

Haven of Rest Cemetery

US Hwy 90 West, Beaumont, Texas 77713 • 409-892-3456

## JEFFERSON COUNTY PUBLIC HEALTH DEPARTMENT INDIGENT BURIAL PROGRAM

#IFB 18-036/YS

January 15, 2021

### 30 Burial Space Purchase Proposal

<u>Garden</u>	<u>Lot</u>	<u>Block</u>	<u>Space</u> <u>#'s</u>	<u># of Spaces</u>
Serenity	20	F	1	1
Serenity	23	B	1	1
Serenity	23	D	1	1
Serenity	26	B	1	1
Serenity	26	D	1	1
Serenity	29	B	1	1
Serenity	29	D	1	1
Serenity	32	B	1	1
Serenity	32	D	1	1
Serenity	32	F	1	1
Serenity	35	B	1	1
Serenity	35	D	1	1
Serenity	38	B	1	1
Serenity	38	D	1	1
Serenity	41	B	1	1
Serenity	41	D	1	1
Serenity	44	B	1	1
Serenity	44	D	1	1
Serenity	47	B	1	1
Serenity	47	D	1	1
Serenity	50	B	1	1
Serenity	50	D	1	1
Serenity	53	B	1	1
Serenity	53	D	1	1
Serenity	56	B	1	1
Serenity	56	C	1,2,3,4	4
Serenity	56	D	1	1

30



Mailing Address:  
P.O. Box 20658  
Beaumont, Texas 77720-0658

(409) 842-8181  
(409) 842-2274  
setex@setexconstruction.com  
setexconstruction.com

General Contracting

Job Order Contracting

Facilities Maintenance

Commercial

Industrial

Government

Healthcare

Infrastructure

Corporate

Education

Performing Arts

Historical

1/7/2020

Deb Clark  
Jefferson County  
1139 Pearl  
Beaumont, Texas 77701

**Project:** "Jefferson County Sheriffs Marine Div. [264] Laura Repairs"

**Subject:** "Proposal"

Dear Ms. Clark

We are pleased to submit our proposal utilizing our 20/017MR-17 Choice Partners JOC Texas Contract based on local CCI and our coefficient of .89.

**Proposal Recap:**

- Re-nail and replace damaged deck boards.
- Replace missing Hardie siding and soffit...includes caulking and painting.
- Adjust and re-nail Hardie boards and trims.
- Boat hoists repairs and parts replacement.
- Replace 6 tire bumpers at dock.
- Interior gypsum repairs over door including minimum painting.
- Replace 24 vapor proof lights, reset 2 exterior lights, replace 2 interior strip lights, replace 1 occupancy sensor.

Proposal Cost	\$ 43,206.92
Bond (if applicable)	\$ 1,080.18
<b>Total Price</b>	<b>\$ 44,282.10</b>

**Exclusions:**

Unforeseen items beyond specified scope listed above, overtime, and liquidated damages.

We estimate approximately **fifteen (15)** working days to complete upon material delivery

This pricing is based on recommended work hours of Monday thru Friday 7:00 am to 5:00 pm. Once accepted this proposal turns into a lump sum contract. Please contact us at 409-842-8181 at your convenience to discuss this estimate.

Respectfully submitted,  
**SETEX Facilities & Maintenance, LLC.**

Michael Waidley  
Project Manager

cc: SETEX/file  
20-0163

**ATTEST:**

Carolyn L. Guidry, County Clerk

JEFFERSON COUNTY, TEXAS

Jeff Branick, County Judge





**Preliminary Estimate, by line item**  
Lester Renfrow  
SETEX Facilities and Maintenance, LLC  
20/017MR-17 - 2020 Choice Partners (JOC - IDIQ) Normal - Basic Contract  
Year - 2/26/2020 to 2/25/2021  
J.C. Sheriff Marine Repairs - 20-0163

**Estimator: Lester Renfrow**

**Division Summary (MF04)**

01 - General Requirements	\$726.49
02 - Existing Conditions	
03 - Concrete	
04 - Masonry	
05 - Metals	
06 - Wood, Plastics, and Composites	\$8,844.60
07 - Thermal and Moisture Protection	\$586.60
08 - Openings	
09 - Finishes	\$1,660.50
10 - Specialties	
11 - Equipment	\$4,980.00
12 - Furnishings	
13 - Special Construction	
14 - Conveying Equipment	
21 - Fire Suppression	
22 - Plumbing	\$412.00
23 - Heating, Ventilating, and Air-Conditioning (HVAC)	
25 - Integrated Automation	

**Totalling Components**

Priced Line Items	\$45,687.30
RSMeans BEAUMONT, TX CCI 2020Q3, 85.10%	\$(6,807.41)

**Material, Labor, and Equipment Totals (No Totalling Components)**

Material:	\$21,423.77
Labor:	\$23,870.25
Equipment:	\$393.29
Other:	\$(0.01)
Laborhours:	273.32
Green Line Items:	\$1,582.64

**Summary of tagged estimates...**

26 - Electrical	\$10,688.05
27 - Communications	
28 - Electronic Safety and Security	
31 - Earthwork	
32 - Exterior Improvements	
33 - Utilities	
34 - Transportation	
35 - Waterway and Marine Transportation	
41 - Material Processing and Handling Equipment	\$8,400.00
44 - Pollution Control Equipment	
46 - Water and Wastewater Equipment	
48 - Electric Power Generation	
Alternate	\$6,115.26
Trades	\$3,273.80
Assemblies	
FMR	
MF04 Total (Without totalling components)	\$45,687.30

2015 Choice Partners JOC SETEX Texas Normal (-11.0000%)	
Nonpriced Line Items	\$(4,276.80)

**Priced/Non-Priced**

Total Priced Items:	38	\$45,687.30	
Total Non-Priced Items:	0	\$0.00	0.00%
	38	\$45,687.30	

**Grand Total**

**\$34,603.09**

# Preliminary Estimate, by line item

Estimator: Lester Renfrow		Combined estimates...			
Item	Description	UM	Quantity	Unit Cost	Total Book
<b>01 - General Requirements</b>					
1	01-54-33-40-6410-3 Rent per week for rent toilet portable chemical	Ea.	1.0000	\$76.12	\$76.12 RSM20FAC E, O&P
2	01-54-33-80-3000-1 Hourly operating cost for marine equipment rental, small work boat, gas, 16-foot, 50 H.P.	Ea.	5.0000	\$12.49	\$62.45 RSM20FAC E, O&P
3	01-54-33-80-3000-3 Rent per week for marine equipment rental, small work boat, gas, 16-foot, 50 H.P.	Ea.	1.0000	\$157.92	\$157.92 RSM20FAC E, O&P
4	01-54-36-50-1200 Mobilization or demobilization, delivery charge for small equipment, placed in rear Ea. of, or towed by pickup truck		2.0000	\$215.00	\$430.00 RSM20FAC L, E, O&P
<b>01 - General Requirements Total</b>					<b>\$726.49</b>
<b>06 - Wood, Plastics, and Composites</b>					
5	06-11-10-28-0420 Porch or deck framing, treated lumber, decking, 2" x 6" buy 8' pcs 997*2*999741 = 1,993.48	S.F.	1,993.4836	\$3.96	\$7,894.20 RSM20FAC M, L, O&P
6	06-11-10-28-0420 Porch or deck framing, treated lumber, decking, 2" x 6" buy 12' pcs 3*80 = 240.00	S.F.	240.0000	\$3.96	\$950.40 RSM20FAC M, L, O&P
<b>06 - Wood, Plastics, and Composites Total</b>					<b>\$8,844.60</b>
<b>07 - Thermal and Moisture Protection</b>					
7	07-21-16-10-9000 Blanket insulation for floors/ceilings, minimum labor and equipment charge	Job	1.0000	\$170.00	\$170.00 RSM20FAC L, O&P
8	07-46-46-10-0025 Fiber cement siding, lap siding, woodgrain texture, 5/16" thick x 6" wide, 4-3/4" exposure	S.F.	36.0000	\$4.83	\$173.88 RSM20FAC M, L, O&P
9	07-46-73-10-9000 Soffit, minimum labor/equipment charge	Job	1.0000	\$227.00	\$227.00 RSM20FAC L, O&P
10	07-92-13-20-0800 Joint sealants, caulking and sealants, acrylic latex, cartridges, 3/4" x 3/4", in place	L.F.	4.0000	\$3.93	\$15.72 RSM20FAC M, L, O&P
<b>07 - Thermal and Moisture Protection Total</b>					<b>\$586.60</b>
<b>09 - Finishes</b>					
11	09-01-70-10-0170 Gypsum wallboard, repairs, cut square, patch, sand and finish, holes, 8" to 12" square	Ea.	3.0000	\$85.50	\$256.50 RSM20FAC M, L, O&P
12	09-91-13-42-0600 Paints & coatings, misc. exterior, decking, exterior, sand paint, alkyd, brushwork, 1 coat exterior decking to match (24+16+72)*2*1.15 = 257.60	S.F.	257.6000	\$3.92	\$1,009.79 RSM20FAC M, L, O&P

# Preliminary Estimate, by line item

Estimator: Lester Renfrow					Combined estimates...		
09 - Finishes							
Item	Description	UM	Quantity	Unit Cost	Total	Book	
13	09-91-13-62-0490 Paints & coatings, siding, misc., smooth wood (butt, T&G, beveled, drop, or B&B siding), primer + 2 coats, exterior latex, brushwork hardie siding (72+10)*1.15 = 94.30	S.F.	94.3000	\$2.14	\$201.80	RSM20FAC M, L, O&P	P
14	09-91-23-72-0840 Paints & coatings, walls & ceilings, interior, concrete, drywall or plaster, latex paint, 2 coats, smooth finish, roller hardie soffit 32*1.15 = 36.80	S.F.	36.8000	\$0.88	\$32.38	RSM20FAC M, L, O&P	P
15	09-91-23-72-0840-8300 Paints & coatings, walls & ceilings, interior, for work over 15' high, add (Modified using 09-91-23-72-8300) hardie soffit 32*1.15 = 36.80	S.F.	36.8000	\$0.09	\$3.31	RSM20FAC L, O&P	P
16	09-91-23-72-0840-8400 Paints & coatings, walls & ceilings, interior, for light textured surfaces, add (Modified using 09-91-23-72-8400) hardie soffit 32*1.15 = 36.80	S.F.	36.8000	\$0.04	\$1.47	RSM20FAC L, O&P	P
17	09-91-23-72-1290 Paints & coatings, walls & ceilings, interior, concrete, drywall or plaster, latex paint, 3 coats, sand finish, cut-in by brushwork gypsum patches 100*1.15 = 115.00	L.F.	115.0000	\$1.35	\$155.25	RSM20FAC M, L, O&P	P
09 - Finishes Total					\$1,660.50		
11 - Equipment							
18	11-13-13-10-0300 Dock bumpers, laminated rubber blocks, 4 1/2" thick x 10" h x 36" long	Ea.	12.0000	\$415.00	\$4,980.00	RSM20FAC M, L, O&P	P
11 - Equipment Total					\$4,980.00		
22 - Plumbing							
19	22-11-13-74-1880 Pipe, plastic, PVC, 1" diameter, schedule 40, includes couplings 10' OC, and hangers 3 per 10'	L.F.	10.0000	\$28.00	\$280.00	RSM20FAC M, L, O&P	P
20	22-11-13-76-2780 Elbow, 90 Deg., plastic, PVC, white, socket joint, 1", schedule 40	Ea.	2.0000	\$33.00	\$66.00	RSM20FAC M, L, O&P	P
21	22-11-13-76-3400 Coupling, plastic, PVC, white, socket joint, 1", schedule 40	Ea.	2.0000	\$33.00	\$66.00	RSM20FAC M, L, O&P	P
22 - Plumbing Total					\$412.00		
26 - Electrical							
22	26-05-90-10-4300 Receptacle devices, residential, decorator style, GFI, type NM cable, 15 amp, incl Ea. box & cover plate		2.0000	\$84.50	\$169.00	RSM20FAC M, L, O&P	P

# Preliminary Estimate, by line item

Estimator: Lester Renfrow		Combined estimates...				
Item	Description	UM	Quantity	Unit Cost	Total	Book
23	26-05-90-10-4300-4500 Receptacle devices, residential, weather-proof cover or above receptacles, add (Modified using 26-05-90-10-4500)	Ea.	2.0000	\$25.50	\$51.00	RSM20FAC M, L, O&P
24	26-09-23-10-0100 Lighting devices, occupancy sensors, passive infrared, ceiling mounted	Ea.	1.0000	\$191.00	\$191.00	RSM20FAC Gm, M, L, O&P
25	26-27-26-20-3110 Wall plate, brown plastic, 1 gang	Ea.	1.0000	\$9.85	\$9.85	RSM20FAC M, L, O&P
26	26-51-13-50-6100 Fluorescent fixture, interior, vapor light, surface mounted, R.S., 2-40 W, 4' L, incl Ea. lamps, mounting hardware and connections	Ea.	24.0000	\$365.00	\$8,760.00	RSM20FAC M, L, O&P
27	26-51-13-50-6100-1010 Labor adjustment factor (electrical), add to labor for elevated installation (above floor level), 10' to 14.5' high (Modified using 26-01-02-20-1010)	Ea.	24.0000	\$15.30	\$367.20	RSM20FAC L, O&P
28	26-51-13-55-2020 Interior LED fixtures, strip, surface mounted, 5,000 K, two light bar 4' long, incl lamps, mounting hardware and connections	Ea.	2.0000	\$570.00	\$1,140.00	RSM20FAC Gm, M, L, O&P
26 - Electrical Total					\$10,688.05	

## 41 - Material Processing and Handling Equipment

29	41-22-23-10-2200 Hoists, material handling, electric overhead, chain, hook hung, 15' lift, 3 ton capacity	Ea.	2.0000	\$4,200.00	\$8,400.00	RSM20FAC M, O&P
41 - Material Processing and Handling Equipment Total					\$8,400.00	

## Alternate

30	06-11-10-28-0420 Demo - Porch or deck framing, treated lumber, decking, 2" x 6" buy 12' pcs	S.F.	204.0000	\$1.60	\$326.40	CUSTOM L, O&P
(Repriced 12/21/2020) Labor Adjustment: -75% of \$2.13 = \$-1.60 Using O&P Pricing Bare Costs: (M:\$1.66 L:\$1.33 E: O:\$20.00 LH:\$0.025) O&P Labor Calc = O&P Total - (Bare Material + 10.000%) - (Bare Equipment + 10.000%) \$3.96 - \$1.83 - \$0.00 = \$2.13 Labor w/CCI = \$2.13 * 100.000% = \$2.13 (3*80)-(3*12) = 204.00						
31	26-05-90-10-4300 Demo - Receptacle devices, residential, decorator style, GFI, type NIM cable, 15 amp, incl box & cover plate	Ea.	2.0000	\$46.05	\$92.10	CUSTOM L, O&P
Labor Adjustment: -75% of \$61.40 = \$-46.05 Using O&P Pricing Bare Costs: (M:\$21.00 L:\$40.00 E: O:\$12.31 LH:\$0.650) O&P Labor Calc = O&P Total - (Bare Material + 10.000%) - (Bare Equipment + 10.000%) \$84.50 - \$23.10 - \$0.00 = \$61.40						

# Preliminary Estimate, by line item

Estimator: Lester Renfrow		Combined estimates...				
Alternate	Item	Description	UM	Quantity	Unit Cost	Total Book
		Labor w/CCI = \$61.40 * 100.000% = \$61.40				
32	26-09-23-10-0100	Demo - Lighting devices, occupancy sensors, passive infrared, ceiling mounted	Ea.	1.0000	\$81.38	\$81.38 CUSTOM Gm, L, O&P
		Labor Adjustment: -75% of \$108.50 = \$-81.38				
		Using O&P Pricing				
		Bare Costs: (M:\$75.00 L:\$70.00 E: O:7.00 LH:1.143)				
		O&P Labor Calc = O&P Total - (Bare Material + 10.000%) - (Bare Equipment + 10.000%)				
		\$191.00 - \$82.50 - \$0.00 = \$108.50				
		Labor w/CCI = \$108.50 * 100.000% = \$108.50				
33	26-51-13-50-6100	Demo - Fluorescent fixture, interior, vapor tight, surface mounted, R.S., 2-40 W, Ea.	Ea.	24.0000	\$175.58	\$4,213.92 CUSTOM L, O&P
		4' L, incl lamps, mounting hardware and connections				
		Labor Adjustment: -75% of \$234.10 = \$-175.58				
		Using O&P Pricing				
		Bare Costs: (M:\$119.00 L:\$153.00 E: O:3.20 LH:2.500)				
		O&P Labor Calc = O&P Total - (Bare Material + 10.000%) - (Bare Equipment + 10.000%)				
		\$365.00 - \$130.90 - \$0.00 = \$234.10				
		Labor w/CCI = \$234.10 * 100.000% = \$234.10				
34	26-51-13-56-2020	Demo - Interior LED fixtures, strip, surface mounted, 5,000 K, two light bar 4' long, incl lamps, mounting hardware and connections	Ea.	2.0000	\$85.13	\$170.26 CUSTOM Gm, L, O&P
		Labor Adjustment: -75% of \$113.50 = \$-85.13				
		Using O&P Pricing				
		Bare Costs: (M:\$415.00 L:\$70.00 E: O:7.00 LH:1.143)				
		O&P Labor Calc = O&P Total - (Bare Material + 10.000%) - (Bare Equipment + 10.000%)				
		\$570.00 - \$456.50 - \$0.00 = \$113.50				
		Labor w/CCI = \$113.50 * 100.000% = \$113.50				
35	CARP	Carpenters - 2015 RSMeans Facilities O&P Rate renailing decks	Hour	16.0000	\$76.95	\$1,231.20 CUSTOM L, O&P
		<b>Alternate Total</b>				<b>\$6,115.26</b>
<b>Trades</b>						
36	ELEC	Electricians - 2015 RSMeans Facilities O&P Rate reset 2 exterior lights	Hour	2.0000	\$84.70	\$169.40 Trades L, O&P
37	MILL	Millwrights - 2015 RSMeans Facilities O&P Rate hoist labor...includes demo/repairs	Hour	32.0000	\$77.25	\$2,472.00 Trades L, O&P
		16"2 = 32.00				
38	SKWK	Skilled Workers Average (35 trades) - 2015 RSMeans Facilities O&P Rate renail siding and trims	Hour	8.0000	\$79.05	\$632.40 Trades L, O&P

# Preliminary Estimate, by line item

Estimator: Lester Renfrow			Combined estimates...			
Trades	Item	Description	UM	Quantity	Unit Cost	Total Book
	Trades Total					\$3,273.80
Estimate Grand Total						34,603.09



**Fran Lee**

---

**From:** Joe Zurita <jzurita@co.jefferson.tx.us>  
**Sent:** Wednesday, January 20, 2021 8:43 AM  
**To:** Fran Lee  
**Subject:** budget amendment  
**Attachments:** MX-M465N\_20210120\_072901.pdf  
  
**Importance:** High

Good morning. I would like to transfer 2030.00 from account 120-8095-417-40-09 into account 120-8095-417-30-84 for the purchase of a new oil pump and reel with installation in the next commissioner's court agenda?  
I have included an invoice with this email. Thank you and have a great day.

*Jose L. Zurita Jr.  
Director of Service Center  
7789 Viterbo Rd.  
Nederland, Tx 77627  
409-719-5937*

DATE
1/13/21
TIME
7:57:30
SALESMAN
002/021
STORE
2

S.E. TEXAS AUTOMOTIVE EQUIPMENT INC  
2095 CALDER  
BEAUMONT, TEXAS 77701  
409-832-9391

INVOICE
220882
P/O NUMBER
WORK ORDER
PAGE
1 of 1

Terminal 11

(409) 719-5936

BILL TO ACCOUNT: 7195936

JEFFERSON CNTY. SERVICE CENTER  
1149 PEARL ST  
7TH FLOOR  
BEAUMONT TX 77701

(409) 719-5936

SHIP TO ACCOUNT: 7195936

JEFFERSON CNTY. SERVICE CENTER  
1149 PEARL ST  
7TH FLOOR  
BEAUMONT TX 77701

A convenience charge of 4% applies to all  
Credit Card Transactions  
There is a 15% restocking fee on returns.

SHIPPED VIA: CUSTOMER PICKUP

ORD	SHIP	B/O	LINE	PART NUMBER	DESCRIPTION	LIST	NET	AMOUNT
SERVICE CENTER GARAGE-JOE								
1	1			BAL1130-021	PANTHER PUMP 5 1	983.00	635.00	635.00
1	1			BAL2120-013	OIL REEL W 1 2 X 50	709.00	549.00	549.00
1	1			BAL3260-060	MINI FILTER-REG 1-4	73.30	62.30	62.30
1	1			MISMATERIALS	MATERIALS		448.03	448.03
1	1			MISLABOR	LABOR		335.00	335.00
CHARGE SALE						SUB TOTAL ---->		2029.33
						MISC. ----->		0.00
						LABOR ----->		0.00
						TAX 8.250 --->		0.00
Signature _____						INVOICE TOTAL->		2029.33

U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

OMB No. 1121-0329  
Approval Expires 12/31/2023



## BJA FY 2020 State Criminal Alien Assistance Program

### Program Requirements and Application Instructions

Assistance Listing Number #	16.606
Grants.gov Opportunity Number:	O-BJA-2020-62002
Solicitation Release Date:	January 13, 2021 5:00 PM
Version:	1
Grants.gov Deadline:	March 01, 2021 11:59 PM
Application JustGrants Deadline:	March 15, 2021 11:59 PM

#### Overview

Under the State Criminal Alien Assistance Program (SCAAP), the [Office of Justice Programs](#) (OJP) of the [U.S. Department of Justice](#) (DOJ) makes payments to eligible "states" and "units of local government" that incur certain types of costs due to "incarceration" of "undocumented criminal aliens" during a particular 12-month "reporting period." **The "reporting period" for the FY 2020 program is July 1, 2018, through June 30, 2019.**

Before entering **any** information into the online application for the FY 2020 program, the government official who will complete and submit the application on behalf of an applicant government **MUST** carefully review this document.

#### Eligible Applicants:

City or township governments, County governments, State governments, Other

#### Other

See Eligibility Information in this solicitation.

### Contact Information

For technical assistance with submitting the SF-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support webpage](#), or email at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov), 833-872-5175. The JustGrants Service Desk operates 5 a.m. to 9 p.m. EST Monday–Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJA contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline.

For assistance with the online application to the FY 2020 program or other aspects of the FY 2020 program, contact the **SCAAP Help Desk** by phone at 1-202-353-4411 or by email to [SCAAP@usdoj.gov](mailto:SCAAP@usdoj.gov). The SCAAP Help Desk operates Monday through Friday during normal business hours (eastern time). It is closed on federal holidays.

### **Submission Information**

In FY 2020, applications will be submitted to DOJ in a **NEW** two-step process.

**Step 1:** Applicants will submit an SF-424 in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal. Please contact the SCAAP Helpdesk at [SCAAP@usdoj.gov](mailto:SCAAP@usdoj.gov) for assistance with identifying the correct applicant DUNS.

**Step 2:** Applicants will submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://JustGrants.usdoj.gov).

To be considered timely, the full application must be submitted in JustGrants by the JustGrants Application deadline.

OJP encourages applicants to review the “How to Apply” section in the [OJP Grant Application Resource Guide](#).

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## Program Description

### Overview

OJP's Bureau of Justice Assistance (BJA) administers SCAAP. Under SCAAP, OJP makes payments to "states" and "units of local government" that incur certain types of costs due to "incarceration" of "undocumented criminal aliens" during a specific 12-month "reporting period."

Under the FY 2020 program, payments will be made in connection with "undocumented" aliens who had been convicted of at least one felony or two misdemeanors (typically for violations of state or local law) and who were "incarcerated" under the legal authority of the applicant government for at least 4 consecutive days during the "reporting period." (Additional details are set out in later sections of this document.)

As part of its application, each applicant government provides particular information about individuals it "incarcerated" — under its own legal authority — for at least 4 consecutive days during the "reporting period" and whom the applicant government either (1) knows were "undocumented criminal aliens" or (2) reasonably and in good faith believes were "undocumented criminal aliens." (OJP transmits the data submitted on such individuals to DHS for a detailed review.) As part of its application, each applicant government also must provide information pertinent to its average costs of incarceration during the "reporting period."

Broadly speaking, SCAAP payments are calculated from information provided by applicant governments in online applications, information provided to OJP by DHS regarding the DHS review of data on "eligible inmates," and the amount of appropriated funds available for the SCAAP application cycle (e.g., for the FY 2020 program). All information submitted as part of an application is subject to appropriate review by OJP.

### Statutory Authority

The FY 2020 program is authorized by 8 U.S.C. § 1231(i) and Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat 2317, 240. See also 28 U.S.C. § 530C(a).

## Specific Information

### Restriction on use of SCAAP payment; associated records

As a matter of federal law, a "state" or "unit of local government" that receives a payment under the FY 2020 program must use the payment "only for correctional purposes." See 8 U.S.C. § 1231(i)(6).

**"Correctional purposes."** With respect to a "state" or "unit of local government," use of a SCAAP payment for "correctional purposes" means:

- Use of the funds to pay any cost reasonably attributable to that government's operation of a "correctional facility" for its own use, such as:
  - Salaries and wages paid to employees who work primarily and directly in the "correctional facility" ( **regardless** of whether those employees are "correctional officers").
  - Costs of employment benefits provided to (or on behalf of) employees who work directly in and for the "correctional facility."
  - The reasonably allocable portion of the salaries, wages, and benefits paid to employees who, although not primarily and directly working in and for the "correctional facility," provide necessary services either to the

- correctional facility (e.g., administrative support) or to the individuals “incarcerated” in the correctional facility ( e.g., medical care, transportation).
- Repair, maintenance, and “overhead” ( e.g., utilities) costs reasonably attributable to operation of the “correctional facility.”
- Use of the funds for payments to a “contract correctional facility” that are reasonably attributable to “incarceration” of individuals in such a facility on behalf of (pursuant to the legal authority of) the pertinent “state” or “unit of local government.”
- Use of the funds for costs directly associated with (and attributable to) the “incarceration” (under the legal authority of the pertinent “state” or “unit of local government”) of aliens who are or may be “undocumented” such as the reasonable costs of activities (e.g., development of policies and appropriate staff training on those policies) designed to ensure that the “state” or “unit of local government” does not restrict sending or receiving information regarding citizenship or immigration, as described in 8 U.S.C. § 1373, gives DHS agents access to “correctional facilities” in order to interview individuals believed to be aliens, and honors formal requests from DHS for advance notice of the scheduled release date and time for particular aliens being held in custody.

### **Maintenance of records**

An applicant government that receives a payment under the FY 2020 program must, for not less than 3 years after the date it draws down that payment from OJP, maintain records sufficient to demonstrate that the payment was used solely for “correctional purposes,” and must make those records available to DOJ (including OJP) upon request.

### **Limit on request for compensation**

As a matter of federal law, “no jurisdiction shall request compensation for any cost greater than the actual cost for federal immigration and other detainees housed in state and local detention facilities.” See, e.g., Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat 2317, 2407.

## **Federal Award Information**

### **Awards, Amounts and Durations**

#### **Anticipated Number of Awards**

600

#### **Anticipated Maximum Dollar Amount of Awards**

\$59,000,000.00

#### **Period of Performance Start Date**

7/1/18 12:00 AM

#### **Period of Performance Duration (Months)**

12

#### **Anticipated Total Amount to be Awarded Under Solicitation**

\$210,293,500.00

## Eligibility Information

**IMPORTANT NOTE:** The online FY 2020 SCAAP application specifically incorporates by reference the **eligibility requirements, definitions of terms, and detailed application instructions** set out in this document. (To assist applicants, this document uses quotation marks to highlight defined terms — e.g., “state,” “unit of local government,” “undocumented criminal alien,” “eligible inmate,” and “correctional purposes.”)

In general, a “state” or “unit of local government” is eligible to apply for a payment under the FY 2020 program if it “incarcerated” individuals in a “correctional facility” during the “reporting period” whom it either (1) knows were “undocumented criminal aliens” or (2) reasonably and in good faith believes were “undocumented criminal aliens.” A detailed discussion of eligibility — including the definitions of “state” and “unit of local government” for purposes of SCAAP — appears in the Eligibility Information section.

Absent highly unusual circumstances, OJP will **not** extend this deadline or permit an applicant government to submit its application after the application deadline. Much as in previous years, promptly after the application deadline, OJP will transmit to the U.S. Department of Homeland Security (“DHS”) the data on “eligible inmates” from all of the applications submitted to JustGrants before the deadline. The volume of “eligible inmates” data transmitted to DHS (and the nature and complexity of the DHS review of those data) is such that it is not possible to transmit supplemental or corrected data to DHS.

Any application must be completed and submitted by a government official with the legal authority to apply to the FY 2020 program on behalf of the chief executive of the applicant government. This “submitting government official” must be registered in JustGrants in order to complete and submit an application under the FY 2020 program.

Instructions on how to register in JustGrants and how to access the online application for the FY 2020 program appear in the How to Apply section.

**Only a “state” or a “unit of local government” is eligible to apply, and only on its own behalf.**

For purposes of the FY 2020 program:

**“State”** includes the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, and American Samoa.

**“Unit of local government”** means a political subdivision of a “state” with authority to independently establish a budget and impose taxes (typically, a “general-purpose” political subdivision of a state). The term may include a county or a municipality (e.g., city, county, town, township, village, borough, or parish). **Note: A department or agency that is part of such a “unit of local government” is not itself considered a “unit of local government” and applications listing an agency that is not the “unit of local government” will be denied.**

Joint applications by two or more “states” or “units of local government” are **not** permitted, **even if** the application names only one state or unit of local government as the applicant. As a rule, an application must **not** incorporate or report data on either (1) individuals held in custody by the applicant government on behalf of (pursuant to the legal authority of) another state or unit of local government or (2) costs associated with individuals held in custody on



behalf of another state or unit of local government.

Similarly, a governmental entity that is not itself a “state” or a “unit of local government” (e.g., a regional jail, special jail district, or regional jail authority or board) is **not** eligible to apply. Rather, each “state” or “unit of local government” that uses the regional facility may include (as part of its own application) data that directly reflect its own use of the facility.

#### **NOTIFICATIONS: DOJ Intent to Modify SCAAP Requirements for Future Application Cycles**

Consistent with its authority and discretion, including under 8 U.S.C. § 1231(i) and 28 U.S.C. § 530C(a), DOJ plans to add certain immigration laws-related eligibility requirements to SCAAP, beginning with the FY 2021 application cycle. **Because the annual “reporting period” for the FY 2021 application cycle began on July 1, 2019, “states” and “units of local government” that intend to apply to the FY 2021 program should take note.**

Starting with the FY 2021 application cycle for SCAAP (and assuming that appropriated funds then are legally available), DOJ intends to require each applicant government — in order to be eligible to receive a payment — to submit information to verify, with respect to the eligible inmates for whom the applicant seeks payment, that the applicant government notified DHS of (a) the name, (b) the release date (updated, as appropriate, from time to time), and (c) the home and work addresses, before the end of the fourth consecutive day of their incarceration.

See Appendix E for additional information about this forthcoming requirement.

#### **Certifications in the online application for the FY 2020 program**

As part of the online application to the FY 2020 program, the “submitting government official” must make a number of detailed certifications to OJP under penalty of perjury, including formal certifications regarding the accuracy of the information being provided, his/her conformity with the requirements and instructions set out in this document, and his/her legal authority to execute the certifications and submit the application on behalf of the applicant government.

JustGrants is designed to reject an application to the FY 2020 program if the “submitting government official” fails to execute any of the required certifications. An application cannot and will not be considered submitted (including for purposes of the application deadline) until all of the certifications have been made. See the Disclosures and Assurances section for more information.

#### **DOJ reliance on the required certifications as material; penalties for false statements**

As indicated in the text of each required certification, DOJ, including OJP, will rely on each certification submitted in connection with an application to the FY 2020 program as a material representation in any decision to make a payment.

A materially false, fictitious, or fraudulent statement to the federal government (or concealment or omission of a material fact) as part of a required certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject both

the “submitting government official” and the applicant government to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). Also, certifications provided to OJP in connection with the FY 2020 program are subject to review by DOJ, including by OJP and the DOJ Office of the Inspector General.

## Application and Submission Information

In the online SCAAP application, each applicant government will be asked to provide specific types of information. In general, they are:

- Information on the applicant government and its “chief executive.”
- Information on the “submitting government official.”
- Data on “eligible inmates” during the “reporting period,” which are provided through upload of a single ASCII-formatted file.
- Data pertinent to the applicant government’s costs of incarceration for the “reporting period,” including information on “correctional officers” and associated salary expenditures, the total number of inmates incarcerated, and the “maximum bed count” of the applicant’s “correctional facilities.”

**“Submitting government official.”** The online SCAAP application may be completed and submitted only by an appropriate official of the applicant government. For each applicant government, there may be only one “submitting government official.” That “submitting government official” must have the legal authority to apply to the FY 2020 program on behalf of the applicant government, must have the necessary knowledge and information to complete the entire application accurately, and must in fact complete and submit all sections of the application. **Due diligence is required.**

The certifications within the online application vary in their precise content, but in each of them, the “submitting government official” must certify, on behalf of himself/herself and the applicant government, under penalty of perjury, that the information entered is “true and correct to the best of my knowledge and belief, based upon diligent inquiry and review,” and is provided in accordance with the requirements, definitions, and instructions set out in this document. In addition, in each such certification, the “submitting government official” certifies that he/she has “the legal authority to make this certification to OJP, including from the chief executive of the applicant government.”

### Part I. SCAAP Applicant Government and Its “Chief Executive”

#### Information on the applicant “state” or “unit of local government”

Refer to the information above on “Eligibility,” including the definitions of “state” and “unit of local government,” to determine whether an interested entity is eligible to apply.

If the prospective applicant is in fact a “state” or “unit of local government,” enter the appropriate information for the applicant government in section 1 of the application.

#### Information on the “chief executive” of the applicant “state” or “unit of local government”

Also in section 1 of the application, enter the appropriate information for the current “chief executive” of the applicant government.

Note that, in virtually all cases, the chief executive of a “state” is the governor. As to “units of local government,” the title of the chief executive will vary depending on the organization of the local government, but only one individual in the local government is its “chief executive” (e.g., the mayor).

Click on the “Save Information” button to continue to the next section of the application. (If an error

message appears, make the appropriate corrections, then click “Save Information” again.)

## Part II. Information on “Eligible Inmates”

**“Eligible inmates.”** Each applicant government is to provide detailed information about the individuals (1) the applicant government “incarcerated” for at least 4 consecutive days during the “reporting period” and (2) whom the applicant government either **knows** were “undocumented criminal aliens” or **reasonably and in good faith believes** were “undocumented criminal aliens.” For purposes of the application to the FY 2020 program, such individuals are referred to as **“eligible inmates.”**

**Recap:** An individual is an “eligible inmate” only if **all** of the following are true, and the inmate was:

- “Incarcerated” by the applicant government under its own legal authority (see definition below),
- For at least 4 consecutive days during the “reporting period,” and
- The applicant government either **knows**, or **reasonably and in good faith believes**, that the inmate is an “undocumented criminal alien,” that is, that the inmate is both —
  - “undocumented” (see definition below) and
  - a “criminal alien” (see definition below)

**“Incarcerated.”** For purposes of the FY 2020 program, an individual is considered to have been “incarcerated” by (or on behalf of) the applicant government when held (confined) in a “correctional facility” **under the legal authority of the applicant government, following conviction of the individual for a criminal offense.** Such incarceration may have been in a correctional facility operated by the applicant government or in a “contract correctional facility” (including a regional facility) used by the applicant government.

- An inmate is not considered to have been “incarcerated” by or on behalf of an applicant government if the applicant government held the inmate in custody on behalf of (under the legal authority of) another “state” or “unit of local government,” pursuant to a contractual arrangement. (See also the related discussion above.)

**“Undocumented.”** For purposes of the FY 2020 program, an individual is “undocumented” **if, as of the date the individual was “incarcerated” by the applicant government,** the individual was a foreign citizen or foreign national with no legitimate claim under federal law to be a U.S. citizen or U.S. national, and the individual (1) entered the United States without authorization under federal law to do so, or (2) entered the United States under a federal legal authorization that had expired or otherwise was no longer in effect, or (3) was the subject of deportation or exclusion proceedings.

- Generally, a person born in the United States (including in a U.S. territory) is a U.S. citizen or U.S. national.

**“Criminal alien.”** For purposes of the FY 2020 program, an alien (that is, an individual who is not a citizen or national of the United States) is a “criminal alien” if, as of the date the individual was “incarcerated” by the applicant go “Inmate records” and associated data elements. In section 2 of the application, the “submitting government official” is to provide an “inmate record” for each “eligible inmate.”

**Inmate records” and associated data elements.** In section 2 of the application, the “submitting government official” is to provide an “inmate record” for each “eligible inmate .”

**Multiple periods of incarceration.** If, during the reporting period, the applicant government

incarcerated a particular “eligible inmate” for two or more periods of at least 4 consecutive days each, the applicant **must** create a **separate** “inmate record” for each such distinct period of incarceration. The applicant **may not** combine such distinct periods of incarceration in a single inmate record.

“**Eligible inmates**” who use aliases. If an applicant government has reason to believe that a particular “eligible inmate” uses or has used aliases, the applicant may submit a separate “inmate record” for each alias, provided the information in the separate inmate record(s) is identical in all respects, other than as to last, first, and/or middle names. (Note that this requirement for identical information — except as to names — specifically includes the “unique inmate number assigned by the applicant government.” (See list below.)

Each “inmate record” is to provide all of the following information, to the extent known to the applicant government, using due diligence:

Alien number, also referred to as “A-number”

- Last name
- First name
- Middle name (not required, but to be provided if available)
- Date of birth
- Unique inmate identifying number assigned by the applicant government
- Foreign country of birth
- “Date incarcerated” (see definition in Appendix A)
- “Date released” (see definition in Appendix A)
- FBI number

**-NEW- Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ).** This new field will be optional in FY 2020 (include the information if available) but will be required in FY 2021. Please see Appendix E for more details.

The detailed instructions for each of these data elements are set out in the table titled “SCAAP Data Elements for ‘Inmate Records’ – FY 2020 Program” in Appendix A. That table identifies mandatory data elements; specifies the precise format to be used for each data element; sets out the rules to follow for individuals with compound or hyphenated first, last, or middle names; and specifically defines “date incarcerated” and “date released.” (It also defines the required ASCII fixed-field format.)

- For ease of reference, the “submitting government official” may wish to print out a copy of “SCAAP Data Elements for ‘Inmate Records’ – FY 2020 Program.”
- Be aware that an “inmate record” that does not identify a **specific country** as the inmate’s country of birth, but instead indicates that the country of birth is “unknown,” will **not** be considered in the calculation of the amount of any payment under the FY 2020 program unless DHS (through its data review) is able to confirm that the inmate was in fact “undocumented,” and the “inmate record” otherwise is sufficient.

**Submission of “inmate records.”** An applicant must provide “inmate records” for “eligible inmates by uploading a single ASCII-formatted (.txt) file that contains the **entire** set of inmate records for the “reporting period.”

- The “submitting government official” will upload a single ASCII-formatted file with all “inmate records” for “eligible inmates.”
  - Appendix A (titled “SCAAP Data Elements for ‘Inmate Records’ – FY 2020 Program”) sets out the required ASCII fixed-field format to be used for the inmate file upload.
  - Appendix B lists (DHS) Immigration and Customs Enforcement (ICE) Country Codes. “Inmate records” submitted as part of a single ASCII fixed-field file are to include the appropriate “ICE Code” from the list in Appendix B. Do not use an abbreviation from

any other list of country codes. Appendix C (titled “Instructions for upload of ASCII fixed-field file of ‘inmate records’”) provides detailed instructions for the ASCII fixed-field file upload process.

- Appendix C (titled “Instructions for upload of ASCII fixed-field file of ‘inmate records’”) provides detailed instructions for the ASCII fixed-field file upload process.

### Part III. Information on “Correctional Officers” and “Correctional Facilities”

#### Required information on “correctional officers”

In section 3 of the online application, the “submitting government official” must provide, by direct entry into the online application, all of the following information related to “correctional officers”:

- The total number of **full-time “correctional officers”** employed by the **applicant government** during the reporting period.
- The total number (reported as Full-Time Employees) of **part-time “correctional officers”** employed by the applicant government during the reporting period.
- The total number of **full-time “correctional officers”** providing services to the **applicant government** as employees of “contract correctional facilities” (or as contractors) during the reporting period.
- The total number (reported as FTEs) of **part-time “correctional officers”** providing services to the applicant government as employees of “**contract correctional facilities**” (or as contractors) during the reporting period.
- “Actual salary expenditures for correctional officers” during the reporting period.

In addition, section 3 of the online application requires the “submitting government official” to provide (as a file “attached” to the application) a “‘Correctional officer’ salary expenditures detail.”

#### Pertinent definitions: correctional officers and associated salary expenditures

- **“Correctional facility”** means a facility typically used to hold (confine) in custody individuals convicted of one or more criminal offenses.
  - A “correctional facility” may be operated by a “state” or “unit of local government” for its own use.
  - Or a “correctional facility” may be operated by a private or governmental entity that holds individuals in custody on **behalf of** (pursuant to the legal authority of) a “state” or “unit of local government,” pursuant to a contractual arrangement. For purposes of the FY 2020 program, such a facility (including a regional facility) is a “**contract correctional facility**.”
  - A “correctional facility” may — in addition to holding in custody individuals who have been **convicted** of criminal offenses — also hold in custody individuals who have been **charged** with criminal offenses. A facility that is used primarily for pretrial detention, however, is **not** a “correctional facility.”
- **“Correctional officer.”** For purposes of the FY 2020 program, “correctional officer” means a person whose **primary** employment responsibility is to maintain custody of individuals held in a “correctional facility.” A person who meets this definition is a “correctional officer,” regardless of whether he/she is an employee of the applicant government or an employee of a “contract correctional facility” used by the applicant government. Based on **primary** employment responsibility, the term “correctional officer” may include a person who fills a position such as deputy sheriff, correctional facility or jail supervisor, chief of security or shift commander for a correctional facility, or warden or assistant warden of a correctional facility. The term “correctional officer” also may include a transportation officer (or someone in a similar position), but **only if** the person’s **primary** employment responsibility is to maintain custody of inmates who remain in custody but temporarily are outside of the “correctional facility.”
  - “Incarcerated” is defined above.
  - Persons whose **primary** responsibility is something other than to maintain custody of individuals held in custody in a “correctional facility” are not “correctional officers” for

purposes of this program, and **may not** be included in the “correctional officer” data reported in section 3 of the online application. This is the case **even though** such persons may provide services to a correctional facility used by the applicant government or its inmates.

- Persons who provide office and secretarial support or administrative services to (or for) a “correctional facility”; or whose **primary** employment responsibility involves housekeeping or maintenance at a correctional facility; or provide food, health or medical care, education, training, or vocational counseling to “incarcerated” inmates are not “correctional officers” for purposes of the FY 2020 program. They **may not** be included in the “correctional officer” data reported in section 3 of the online application.
- Similarly, persons whose **primary** employment responsibility is to work with inmates who are no longer held in custody in a “correctional facility” (e.g., parole and probation officers) or whose work involves inmates but whose primary employment responsibility is something other than “maintaining custody” of an inmate held in custody in a “correctional facility” (e.g., judges, prosecutors, and public defenders; hearing officers; warrant and apprehension units personnel) are **not** “correctional officers” for purposes of the FY 2020 program. They **may not** be included in the “correctional officer” data reported in section 3 of the online application.
- “Total number” of “correctional officers”
  - For **full-time** “correctional officers” employed by the applicant government, report the total number of full-time correctional officers employed during the reporting period.
  - For **part-time** “correctional officers” employed by the applicant government, report the total number of part-time correctional officers employed during the reporting period.
  - For **full-time** “correctional officers” employed by a “contract correctional facility,” include **only** the “total number” of such officers whose employment is reasonably attributable — using due diligence — to use of the correctional facility by the applicant government for inmates held in custody under its own legal authority. As the “total number,” report the total number of such full-time correctional officers employed during the reporting period.
  - Similarly, for **part-time** “correctional officers” employed by a “contract correctional facility,” include **only** the “total number” of such officers whose employment is reasonably attributable — using due diligence — to use of the correctional facility by the applicant government for inmates held in custody under its own legal authority. As the “total number,” report the total number of such part-time correctional officers employed during the reporting period.
- ‘ **Actual salary expenditures for correctional officers, during the reporting period** ’ means the sum of:
  - The actual amount (if any) paid by the applicant government during the “reporting period” as the “salaries and wages” of full-time and part-time “correctional officers” it employed. Paid leave (medical leave, family leave, vacation leave) may be included in this total.
  - The actual amount (if any) **paid by any** “contract correctional facility” as the “salaries and wages” of full-time and part-time “correctional officers,” but only to the extent the amounts paid are reasonably attributable — using due diligence — to inmates held in custody on behalf of, and under the legal authority of, the applicant government.
- “**Salaries and wages**” may include amounts paid to a “correctional officer” as premium pay for specialized service, as shift-differential pay, and/or as fixed-pay increases for time in service. It also may include additional amounts paid for overtime when such additional amounts are required by law (e.g., by statute or regulation) or by contractual obligation.
  - “Salaries and wages” may not include any payments or costs for employment benefits, including (without limitation) social security, retirement or pension plans, health or medical services, insurance (e.g., medical, dental, vision, disability, and life insurance), and/or performance awards.

**Information required in the “‘Correctional officer’ salary expenditures detail (for the reporting period).”**

Each applicant must attach a file to its application that sets out for each “correctional officer” included in the reported number of “correctional officers” the following:

- The **title** of the position held by the person (e.g., “corrections officer,” “deputy sheriff,” “warden”) and the **total** “salaries and wages” paid to the person during the reporting period for that work. (The **name** of the correctional officer **should not** be included.)
- For an individual “correctional officer” employed by a “contract correctional facility,” the “salaries and wages” listed must be the amount **reasonably attributable — using due diligence** — to inmates held in custody on behalf of, and under the legal authority of, the applicant government.
- This salary “detail” file may be submitted in one of several commonly used file formats (e.g., Adobe PDF, Microsoft Word, or Microsoft Excel). **Note:** The sum of all “salaries and wages” listed in the “detail” file must match the amount entered in the online application as “‘Actual salary expenditures for correctional officers,’ during the reporting period.”
  - JustGrants does **not** accept **executable** file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”
- To “attach” the file:
  - Click on the “Attach” button. A pop-up window will appear.
  - Click on the “Browse” button.
  - Locate the correct file name and double-click on it. The file name will appear in the blank field.
  - Click the “Upload” button.

#### Required information on “correctional facilities”

In section 3 of the online application, the “submitting government official” also must provide, by direct entry into the online application, all of the following information related to “correctional facilities”:

- “Maximum bed count” for the reporting period.
- “Total all inmate days” for the reporting period.

In addition, section 3 of the online application requires the “submitting government official” to provide, as a file “attached” to the application, detail on “All inmate days, by reporting day” for the reporting period.

#### Pertinent definitions: Correctional facilities

- “**Correctional facility**” and “**contract correctional facility**” are defined above.
- “**‘Maximum bed count’ for the reporting period**” If the applicant government held inmates in custody **only in** “correctional facilities” operated by the applicant government itself for its own use, the “Maximum bed count” for the reporting period is the **maximum capacity** during any single day of the reporting period of all such “correctional facilities” operated by the applicant government. If, however, the applicant government **either** did not operate a “correctional facility” for its own use or operated one or more “correctional facilities” for its own use but also used other facilities to hold inmates in custody, the “Maximum bed count” for the reporting period is the sum of:
  - The maximum **capacity** during any single day of the reporting period of all “correctional facilities” operated by the applicant government itself for its own use.
  - The maximum number of inmates, if any, actually held in custody on behalf of (under the legal authority of) the applicant government in a “contract correctional facility” during any single day of the reporting period.
  - The maximum number of inmates, if any, **actually held in custody** by the applicant government during any single day of the reporting period in “temporary” or “overflow” facilities (e.g., gymnasiums).
- “**‘Total all inmate days’ for the reporting period**” means the cumulative number of days — determined using the nightly “head count” for each of the days in the reporting period — inmates were held in custody in a “correctional facility” by or on behalf of the applicant government (pursuant to its own legal authority) during the “reporting period,” **regardless of**

**inmate citizenship, legal status, or the number of days held in custody.**

**Information required in the “‘All inmate days, by reporting day’ detail (for the reporting period)”**

- Each applicant must attach a file to its application that sets out for **each particular day of the reporting period** — using nightly “head counts” — the number of inmates held in custody in a “correctional facility” by or on behalf of the applicant government (pursuant to its own legal authority), **regardless of inmate citizenship, legal status, or the number of days held in custody.**
- This “detail” file may be submitted in one of several commonly used file formats (e.g., Adobe PDF, Microsoft Word, or Microsoft Excel). **Note:** The sum of all daily entries for “all inmate days” listed in this “detail” file must match the number entered in the online application as “Total all inmate days’ for the reporting period.”
  - JustGrants does **not** accept **executable** file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”
- To “attach” the file:
  - Click on the “Attach” button. A pop-up window will appear.
  - Click on the “Browse” button.
  - Locate the correct file name and double-click on it. The file name will appear in the blank field.
  - Click the “Upload” button.

**Important note regarding “correctional officers” and “correctional facilities” data**

As indicated earlier, all information submitted as part of an application to the FY 2020 program is subject to appropriate review by OJP. In appropriate circumstances (e.g., indications that an entry related to “correctional officers” or to “total all inmate days” may be erroneous), OJP may require additional information related to the accuracy of the information in the application.

Using data provided by the applicant in section 3 of the application (e.g., data on “correctional officers,” data on “total all inmate days”), JustGrants calculates each applicant’s average daily (salaries) cost per inmate during the “reporting period.” As a point of reference and comparison, for the FY 2019 program, the overall average daily (salaries) cost per inmate (i.e., the average of the daily costs for all applicants that received payments) was \$46.73.

**REMINDER**

The “submitting government official” identified in section 5 of the application **must be** the individual identified in section 2 of the application as the “submitting government official.”

For each applicant government, there may be only **one** “submitting government official.” That “submitting government official” **must** complete **all** sections of the application, and **must** be the one who submits the application to OJP.

**Information to Complete the Application for Federal Assistance (SF-424)**

The SF-424 will be submitted in Grants.gov. The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

**Intergovernmental Review:** This solicitation (“funding opportunity”) **is** subject to [Executive Order 12372](#). An applicant may find the names and addresses of state Single Points of Contact (SPOCs) at the following website: [https://www.whitehouse.gov/wp-content/uploads/2020/01/spoc\\_1\\_16\\_2020.pdf](https://www.whitehouse.gov/wp-content/uploads/2020/01/spoc_1_16_2020.pdf). If the applicant’s state appears on the SPOC list, the applicant must contact the state SPOC to find out about, and comply with, the state’s



process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its state E.O. 12372 process. (An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372 but has not been selected by the state for review.")

### **Standard Applicant Information (JustGrants 424 and General Agency Information)**

The Standard Applicant Information section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, applicants will need to: add zip codes for areas affected by the project; confirm their Authorized Representative; and verify the organization's legal name and address.

### **Disclosures and Assurances**

Applicants will complete the following certifications electronically in JustGrants. The text of each required certification is included below.

#### **Required Certification to OJP by the Submitting Government Official: Applicant Government and Submitting Government Official**

On behalf of myself and the applicant government, and in support of this application to the FY 2020 program, I certify to OJP, under penalty of perjury, that the information on the applicant government and the submitting government official entered above as part of this online application to the FY 2020 program is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review, and is provided in accordance with the requirements, definitions, and instructions set out in the OJP document entitled State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this and all other certifications in this online application as material representations in any decision to make a SCAAP payment to the applicant government in response to this application.

I understand and acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant "State" or "unit of local government" to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also understand and acknowledge that payments under OJP programs such as SCAAP, including certifications provided in connections with such payments, are subject to review by USDOJ, including by OJP and the USDOJ Office of the Inspector General.

#### **Required Certification to OJP by the Submitting Government Official: Information on "Eligible Inmates"**

On behalf of myself and the applicant government, and in support of this application to the FY 2020 program, I certify to OJP, under penalty of perjury, that the information on "eligible inmates" entered or uploaded as part of this online application to the FY 2020 program-- (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the OJP document entitled State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions, and

(2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment under the FY 2020 program, and that this certification is subject to review by USDOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

### **Required Certification to OJP by the Submitting Government Official: Information on "Correctional Officers" and "Facilities"**

On behalf of myself and the applicant government, and in support of this application to the FY 2020 program, I certify to OJP, under penalty of perjury, that the information on "correctional officers" and "correctional facilities" entered or uploaded as part of this online application to the FY 2020 program-- (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the OJP document entitled State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions, and (2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment under the FY 2020 program, and that this certification is subject to review by USDOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

### **Acknowledgement of USDOJ Intent to Modify SCAAP Program Requirements, Beginning with the FY 2021 Program**

I certify that I have read and reviewed carefully the "Notification: USDOJ Intent to Modify SCAAP Requirements for Future Application Cycles" in the State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions.

I further certify that I have advised appropriate officials of the applicant government, including its chief executive, of that Notification and its content, including the "reporting periods" that will be affected if the modifications described in the Notification are made.

I understand and acknowledge that this certification is subject to review by USDOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), I may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

### **FY 2020 Certification regarding federal statutes relevant to the incarceration of criminal aliens**

Several federal statutes are relevant to the incarceration of criminal aliens. I have reviewed the statutes referenced in this certification, and, in connection with this certification, have consulted, as appropriate, with the chief legal officer for the applicant jurisdiction. On behalf of

the applicant jurisdiction, in support of its application for an award under the FY 2020 State Criminal Alien Assistance Program ("SCAAP"), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ") that all of the following are true and correct:

1. Throughout the pertinent reporting period, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by any law, rule, policy, or practice that would or does (1) violate, or aid, or abet any violation of 8 U.S.C. § 1324(a); (2) impede the exercise by federal officers of authority under 8 U.S.C. § 1357(a); or (3) impede the exercise by federal officers of authority relating to 8 U.S.C. § 1226(a) or (c), 8 U.S.C. § 1231(a), or 8 U.S.C. § 1366(1) or (3).
2. Throughout the pertinent reporting period, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by any prohibition or any restriction that deals with either (1) the sending or receiving by a government entity or official of information regarding citizenship or immigration status as described in 8 U.S.C. §§ 1373(a) or 1644 or (2) the sending to, requesting or receiving from, maintaining, or exchanging by a government entity or official of information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

## How to Apply

A "submitting government official" must submit any application on behalf of the applicant government through Grants.gov and DOJ's JustGrants. OJP urges the "submitting government official" to register promptly, especially if this is the first time he/she is using Grants.gov or JustGrants.

Applicants will submit an **SF-424** in Grants.gov at <https://www.grants.gov/web/grants/register.html>. For assistance with selecting the correct DUNS, please contact [SCAAP@usdoj.gov](mailto:SCAAP@usdoj.gov).

Applicants will submit the **full application** including attachments in JustGrants at <https://justgrants.usdoj.gov/>.

For additional information, see the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

## Submission Dates and Time

The SF-424 will be submitted in Grants.gov by March 1, 2021 at 11:59 pm eastern time. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

The full application will be submitted in JustGrants by March 15, 2021 at 11:59 pm eastern time. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

Absent highly unusual circumstances, OJP will **not** extend this deadline or permit an applicant government to submit its application after the application deadline. Much as in previous years, promptly after the application deadline, OJP will transmit to the U.S. Department of Homeland Security (DHS) the data on "eligible inmates" from all of the applications submitted to JustGrants before the deadline. The volume of "eligible inmates" data transmitted to DHS

(and the nature and complexity of the DHS review of those data) is such that it is not possible to transmit supplemental or corrected data to DHS.

## **Application Review Information**

### **Review Process**

#### **OJP review of applications; corrections to data (other than “eligible inmate” data)**

All information submitted as part of an application is subject to appropriate review by OJP. If a properly submitted application appears to contain errors that may be corrected by the applicant (such as inaccurate data on correctional officers or correctional facilities), OJP typically will notify the applicant via an email message to the “submitting government official” and the applicant’s chief executive, using the email addresses provided in the application. In such a notification, OJP may provide an applicant with an opportunity to correct the application by a particular date. In any such case, to be considered for a SCAAP payment, the applicant must make the appropriate corrections by that date.

Due to the nature and complexity of the data review by DHS, however, **no** corrections may be made to data submitted on “eligible inmates” (or “inmate records”) after the application deadline has passed.

## **Federal Award Administration Information**

### **Federal Award Notices**

#### **Notification and acceptance of payment**

Once the amount of any payment under the FY 2020 program has been determined, OJP will send email notifications to applicants via the SCAAP Help Desk. The notifications will provide information concerning the amount available to the applicant government, and will provide detailed instructions for online acceptance (in JustGrants) and drawdown of funds.

An applicant government is to complete the online acceptance process within 60 calendar days after receipt of the email notice from OJP. Formal acceptance in JustGrants is required before any electronic transfer of funds to the applicant government.

## **Federal Awarding Agency Contact(s)**

For assistance with the online application to the FY 2020 program or other aspects of the FY 2020 program, contact the SCAAP Help Desk by phone at 1-202-353-4411, or by email to [SCAAP@usdoj.gov](mailto:SCAAP@usdoj.gov). The SCAAP Help Desk operates Monday through Friday during normal business hours (eastern time). It is closed on federal holidays. For technical assistance with submitting the SF-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at Grants.gov customer support webpage, or email at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the full application in DOJ’s Justice Grants System (JustGrants), contact the JustGrants Service Desk at [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov), 833-872-5175. The JustGrants Service Desk operates 5 a.m. to 9 p.m. EST Monday–Friday

and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

## Application Checklist

### Appendix A: SCAAP Data elements for “inmate records” – FY 2020 program

SCAAP DATA ELEMENTS FOR "INMATE RECORDS" - FY 2020 PROGRAM					
<p>The table below shows the data elements of an “inmate record” for an “eligible inmate.” These data elements (along with the associated “Instructions”) apply to all “inmate records” for “eligible inmates.”</p> <p>The table also shows the ASCII fixed-field format to be used by an applicant government that chooses to provide its “inmate records” by ASCII file upload. In creating the ASCII-formatted file for upload, it is critical to follow the format requirements carefully and accurately. For example, JustGrants will reject any “inmate record” that is not exactly 165 or 166 characters long.</p> <p><b>Note: Do not use the TAB key to enter required spaces.</b> After entering the appropriate information in a given field, <b>use the SPACE BAR</b> if spaces must be entered to complete the entry and advance to the beginning of the next field.</p>					
Data Field Specifications					Instructions
Order in Data String	Data Element Name	Field Length	Begin At Column	Mandatory Item	
1	A-number	9	1	Yes, two options available	<p>This is an “Alien number” or “Alien Registration number” assigned by (DHS) ICE and used to track individuals and verify identity.</p> <p><b>Do not use letters (“A”) or symbols (such as dashes).</b></p> <p>Use zero(s) (“0”) as the beginning digit(s) if the A-number is fewer than 9 digits.</p> <p>If the A-number is not available, enter 9 zeros (“0”).</p>
2	Last name(s)	40	10	Yes	<p>If the name is fewer than 40 characters, enter the name and leave the remainder of the field blank.</p> <p>In the case of compound or hyphenated names, leave in the hyphen or space between the names. (Be aware that many Hispanics use two last names; both should be entered in this field.)</p>
3	First name(s)	25	50	Yes	<p>In the case of compound or hyphenated names, leave in the hyphen or space between the names.</p> <p>If the name is fewer than 25 characters, enter the name and leave the remainder of the field blank.</p>
4	Middle name(s)	25	75	No, but provide if available	<p>In the case of compound or hyphenated names, leave in the hyphen or space between the names</p> <p>If the name is fewer than 25 characters, enter the name and leave the remainder of the field blank.</p>
5	Date of birth	8	100	Yes	<p>The date must be in the format YYYYMMDD. Insert a zero (“0”) in the sequence, as necessary, to fill in all spaces; e.g., “19830305” is March 5, 1983.</p>
6	Unique inmate identifier number	15	108	Yes	<p>This number is the unique inmate identifier assigned by the applicant government.</p> <p>If the number is fewer than 15 characters, enter the number and leave the remainder of the field blank.</p> <p>If more than one inmate record is submitted for a particular inmate and particular period of incarceration (as in the case of aliases), the same identifier <b>must</b> be used in all such inmate records.</p>

7	Foreign country of birth	10	123	Yes	<p>If preparing a single <b>ASCII</b> file of "inmate records," enter the ICE Country Code for the country of birth. The code will be from 2 to 5 letters long. After the code, add spaces to fill the field (the maximum field length is 110 characters).</p> <p>If the individual identifies a specific country of birth, but that country does not appear on the list (or in the drop-down menu for direct data entry), use a country in close geographic proximity, <b>not</b> "unknown."</p>
<b>SCAAP DATA ELEMENTS FOR "INMATE RECORDS" - FY 2020 PROGRAM (CONTINUED)</b>					
<b>Data Field Specifications</b>					<b>Instructions</b>
<b>Order in Data String</b>	<b>Data Element Name</b>	<b>Field Length</b>	<b>Begin At Column</b>	<b>Mandatory Item</b>	
8	"Date incarcerated" (see instructions below)	8	133	Yes	<p>The date must be in the format YYYYMMDD.</p> <p>See additional instructions below.</p>
9	"Date released" (see instructions below)	8	141	Yes	<p>The date must be formatted YYYYMMDD.</p> <p>See additional instructions below.</p>
10	FBI number	10	149	No, but provide if available	<p>This number is issued by the FBI to track arrests and fingerprint records. If the FBI number is not available, leave this field blank by inserting 10 spaces.</p> <p>If the FBI number is fewer than 10 characters, enter the number first, and then insert spaces for the remainder of the field length.</p>
11	LESC IAQ	7 or 8	159	<p>No, but provide if available</p> <p>Mandatory in 2021 application</p>	See Appendix E for details.
<b>Instructions for reporting "Date incarcerated" and "Date released"</b>					

In an “inmate record” for a distinct, continuous period of “incarceration” of an “eligible inmate” during the “reporting period” —

“**Date incarcerated**” is to be the date — **following conviction for a criminal offense** — that the individual first was “incarcerated” by (or on behalf of) the applicant government, pursuant to its own legal authority.

- Special rule for **certain** periods of pretrial detention (continuous custody):

If an individual was held in custody by (or on behalf of) the applicant government under its legal authority for a period that started before trial and continued **uninterrupted** through **at least 4** consecutive days of (post-conviction) “incarceration” during the reporting period, the applicant government **may** report the starting date of that **continuous period of custody** as the “date incarcerated.”

“**Date released**” is to be the **earlier** of (1) June 30, 2019, (the final day of the pertinent “reporting period”) **or** (2) the date the “eligible inmate” “incarcerated” by or on behalf of the applicant government under its own legal authority was released from his/her confinement pursuant to that legal authority.

- Special rule for **certain** unusual circumstances (outstanding warrants and detainer requests):

If an “eligible inmate” is “incarcerated” by or on behalf of the applicant government under its own legal authority for at least 4 consecutive days during the reporting period and **thereafter** the individual continues — **without interruption** — to be lawfully held in custody by the applicant government for 1 or more additional days (during the reporting period) on the basis of an **outstanding warrant or detainer request from the federal government** (or on the basis of an **outstanding warrant from another “state” or “unit of local government”**), the applicant government **may** report the ending date of that continuous period of confinement as the “date released,” **provided** that the applicant government was not paid or otherwise compensated by the other government (federal, state, or local) for the additional days it held the individual on the basis of the outstanding warrant or detainer request.

## Appendix B: (DHS) ICE country codes – for use in “inmate records”

Country Name	ICE Code	Country Name	ICE Code	Country Name	ICE Code
Afghanistan	AFGHA	Chad	CHAD	Ghana	GHANA
Albania	ALBAN	Chile	CHILE	Gibraltar	GIBRA
Algeria	ALGER	China, Peoples Republic	CHINA	Greece	GREEC
Andorra	ANDOR	Christmas Island	CHRIS	Greenland	GREEN
Angola	ANGOL	Cocos Islands	COCOS	Grenada	GRENA
Anguilla	ANGUI	Colombia	COLOM	Guadeloupe	GUADE
Antigua-Barbuda	ANTIG	Comoros	COMOR	Guatemala	GUATE
Argentina	ARGEN	Congo, Democratic Republic	DECON	Guinea	UINEA
Armenia	ARMEN	Congo, Republic	CONGO	Guinea Bissau	BISSA
Aruba	ARUBA	Cook Islands	COOK	Guyana	GUYAN
Australia	RALIA	Costa Rica	COSTA	Haiti	HAITI
Austria	STRIA	Cote d'Ivoire	IVORY	Holy See	VATIC
Azerbaijan	AZERB	Croatia	CROAT	Honduras	HONDU
Bahamas, The	BAHAM	Cuba	CUBA	Hong Kong	HONGK
Bahrain	BAHRA	Cyprus	CYPRU	Hungary	HUNGA
Bangladesh	BANGL	Czech Republic	CZREP	Iceland	ICELA
Barbados	BARBA	Czechoslovakia, former	CZECH	India	INDIA
Belarus	BELAR	Denmark	DENMA	Indonesia	INDON
Belgium	BELGI	Djibouti	DJIBO	Iran	IRAN
Belize	BELIZ	Dominica	INICA	Iraq	IRAQ
Benin	BENIN	Dominican Republic	DR	Ireland	IRELA
Bermuda	BERMU	Ecuador	ECUAD	Israel	ISRAE
Bhutan	BHUTA	Egypt	EGYPT	Italy	ITALY
Bolivia	BOLIV	El Salvador	ELSAL	Jamaica	JAMAI
Bosnia-Herzegovina	BOSNI	Equatorial Guinea	EQUAT	Japan	JAPAN
Botswana	BOTSW	Eritrea	ERITR	Jordan	JORDA
Brazil	BRAZI	Estonia	ESTON	Kazakhstan	KAZAK
British Virgin Islands	BVI	Ethiopia	ETHIO	Kenya	KENYA
Brunei	BRUNE	Falkland Islands	FALKL	Kiribati	KIRIB
Bulgaria	BULGA	Fiji	FIJI	Korea	KOREA
Burkina Faso	BURKI	Finland	FINLA	Kuwait	KUWAI
Burma	BURMA	France	FRANC	Kyrgyzstan	KYRGY
Burundi	BURUN	French Guiana	FRGUI	Laos	LAOS
Cambodia	CAMBO	French Polynesia	POLYN	Latvia	LATVI
Cameroon	CAMER	French Southern and Antarctic Lands	ANTAR	Lebanon	LEBAN
Canada	CANAD	Gabon	GABON	Lesotho	LESOT
Cape Verde	CAPEV	Gambia	GAMBI	Liberia	LIBER
Cayman Islands	CAYMA	Georgia	GEORG	Libya	LIBYA
Central African Republic	CAFRI	Germany	GERMA	Liechtenstein	LIECH
Lithuania	LITHU	Palestine	PALES	Sweden	SWEDE



Country Name	ICE Code	Country Name	ICE Code	Country Name	ICE Code
Luxembourg	LUXEM	Panama	PANAM	Switzerland	SWITZ
Macau	MACAU	Papua New Guinea	PAPUA	Syria	SYRIA
Macedonia	MACED	Paraguay	PARAG	Taiwan	TAIWA
Madagascar	MADAG	Peru	PERU	Tajikistan	TAJIK
Malawi	MALAW	Philippines	PHILI	Tanzania	TANZA
Malaysia	MALAY	Pitcairn Island	PITCA	Thailand	THAIL
Maldives	MALDI	Poland	POLAN	Togo	TOGO
Mali	MALI	Portugal	PORTU	Tonga	TONGA
Malta	MALTA	Qatar	QATAR	Trinidad and Tobago	TRINI
Marshall Islands	MARSH	Reunion	REUNI	Tunisia	TUNIS
Martinique	MARTI	Romania	ROMAN	Turkey	TURKE
Mauritania	MAUTA	Russia	RUSSI	Turkmenistan	TURKM
Mauritius	MAUTI	Rwanda	RWAND	Turks and Caicos Islands	TURKS
Mexico	MEXIC	Samoa	SAMOA	Tuvalu	TUVAL
Micronesia, Federated States	FSM	San Marino	SANMA	Uganda	UGAND
Moldova	MOLDO	Sao Tome and Principe	SAOTO	Ukraine	UKRAI
Monaco	MONAC	Saudi Arabia*	SAUDI	United Arab Emirates	UAE
Mongolia	MONGO	Senegal	SENEG	United Kingdom	UK
Montserrat	MONTS	Seychelles	SEYCH	Uruguay	URUGU
Morocco	MOROC	Sierra Leone	SIERR	Uzbekistan	UZBEK
Mozambique	MOZAM	Singapore	SINGA	Vanuatu	VANUA
Namibia	NAMIB	Slovak Republic	SLOVA	Venezuela	VENEZ
Nauru	NAURU	Slovenia	SLOVE	Vietnam	VIETN
Nepal	NEPAL	Solomon Islands	SOLOM	Wallis and Futuna Islands	WALLI
Netherlands	NETHE	Somalia	SOMAL	West Indies	WINDI
Netherlands Antilles	ANTIL	South Africa	SAFRI	Western Sahara	WSAHA
New Caledonia	NEWCA	South Korea	SKORE	Western Samoa	WSAMO
New Zealand	NEWZE	Soviet Union, former	USSR	Yemen	YEMEN
Nicaragua	NICAR	Spain	SPAIN	Yugoslavia, former	YUGOS
Niger	NIGE	Sri Lanka	SRILA	Zambia	ZAMBI
Nigeria	NIGIA	St. Helena	STHEL	Zimbabwe	ZIMBA
Niue	NIUE	St. Kitts-Nevis	STKIT		
North Korea	NKORE	St. Lucia	STLUC	Born on ship/plane	SHIP
Northern Ireland	NIREL	St. Pierre and Miquelon	STPIE	Stateless	STATE
Norway	NORWA	St. Vincent and the Grenadines	STVIN	Unknown	UNKNO
Oman	OMAN	Sudan	SUDAN	* ARABI also may be used as the code for Saudi Arabia	
Pakistan	PAKIS	Suriname	SURIN		
Palau	PALAU	Swaziland	SWAZI		

## Appendix C: Instructions for upload of ASCII fixed-field file of “inmate records”

### Upload of an ASCII fixed-field file of all “inmate records”

This method for submitting “inmate records” on “eligible inmates” allows an applicant to submit its entire set of inmate records as a **single ASCII-formatted file** uploaded directly into JustGrants. Appendix A specifies the required fields and format.

Each “inmate record” in the uploaded ASCII file is to contain **all** mandatory data fields in the specified format. Through a file upload “status report” (which will refer to each “inmate record” as a “line”), JustGrants will flag “inmate records” within the ASCII file that do not contain the required information, are not exactly **165 or 166** characters long, or do not follow (or appear not to follow) the specified data format.

“Inmate records” that are incomplete or are not in the specified format as of the date and time of the application deadline will **not** be considered as part of OJP’s payment calculation process. If an ASCII inmate-record file has been uploaded, but the applicant government has **not** yet submitted its application to OJP’s JustGrants, the applicant has the option to correct, add to, or otherwise modify the ASCII inmate-record file and upload that file as a **replacement** for the entire file previously uploaded. (See below.)

To help ensure that the maximum number of “inmate records” is taken into account in the calculation of the amount of any payment, the applicant should be **meticulous** in preparing the ASCII fixed-field file. If JustGrants nevertheless identifies errors in the file — and the application deadline has not yet passed — the applicant should correct those errors as soon as possible, **before** it “submits” the application to JustGrants.

### ALERTS

- An ASCII “inmate-record” file may **not** be corrected, added to, or modified **in any way** once the application deadline has passed.
- If an applicant uploads an ASCII fixed-field file of “inmate records,” any subsequent upload of a new or modified file **will overwrite (and delete)** the previously uploaded file **in its entirety**. Similarly, the addition of **any** inmate records via direct data entry will overwrite (and delete) the previously uploaded ASCII fixed-field file **in its entirety**.
- Upload of a large ASCII fixed-field file of “inmate records” may take a considerable amount of time.
  - Generally, there is a brief start-up delay when the upload is being initiated.
  - A file that contains 50,000 “inmate records” may take 15 minutes or longer to upload, even after the file upload actually has begun.
  - If the applicant’s internet browser “times out” or is disconnected during the file upload process, errors may result. It is important to review the file upload “status report” (see below) to determine whether the expected number of “inmate records” in fact was uploaded.

### The Upload Process – In General

To submit “inmate records” for “eligible inmates” by uploading a single ASCII fixed-field file that includes all such inmate records, follow these steps:

Step 1: In section 2 of the online application, click on the “Upload Inmate File” button.

Step 2: Click on the “Upload” box to attach the file. A pop-up window will appear.

Step 3: Click on the “Browse” button in the pop-up window.

Step 4: Locate the correct file name and double-click on it. The file name will appear in the blank field.

Step 5: Click the “Upload” button. A message should appear in the pop-up window that indicates the status of the file upload. Click the “X” in the upper right corner of the pop-up box to close it. The ASCII fixed-field file name should now appear next to the upload button on the main page.

Step 6: Click the “Validate” button. Any errors present in the inmate file will be displayed. Correct any errors listed and reupload the entire inmate file once the update is completed.

Step 7: Click “Continue” button to proceed to the next section of the application.

The file upload “status report” will indicate the total number of “inmate records” uploaded and the number of those records that are “complete.” In addition, the report will provide a detailed list of any inmate records (by “line” number) that are incomplete and/or are not in the specific data format. It also will indicate the data fields in which the error(s) appear.

## **Appendix D: SCAAP payment calculations – general overview**

### **A general overview of the method OJP uses to calculate payments under SCAAP**

1. DHS reviews “inmate records.” All “complete” inmate records submitted in applications from “eligible applicants ” are forwarded by OJP to DHS promptly after the application deadline.
2. DHS conducts a detailed review that focuses on determining whether each individual identified in an “inmate record” **in fact** was “undocumented” — or was instead a U.S. citizen (or national) or otherwise lawfully present in the United States — at the time of the incarceration identified in the inmate record.
3. DHS provides the results of its review to OJP.
4. OJP reviews the data provided by applicants, including data on “correctional officers,” “actual salary expenditures for correctional officers,” and “total all inmate days.” As appropriate and feasible, OJP requires additional — or corrected — information from applicants.
5. For each applicant government with one or more “inmate records” determined to be eligible for payment, JustGrants calculates the average daily (salaries) cost per inmate for the applicable “reporting period.” In general, this is done by dividing “actual salary expenditures for correctional officers” (for the reporting period) by “total all inmate days” (for the reporting period).
6. Using the results of the DHS review, the OJP review, and each applicant’s average daily (salaries) cost per inmate, JustGrants calculates an amount — referred to as the applicant’s total “eligible inmate costs” — that reflects the applicant’s total (salaries) costs of incarcerating “undocumented criminal aliens” during the applicable “reporting period.”
7. Funds available from appropriations to OJP for SCAAP for the particular application cycle are paid to applicant governments on a proportionate (percentage) basis, using each applicant’s total “eligible inmate costs.”

For the FY 2019 program, payments made to applicant governments represented

approximately 26 percent of each applicant's total "eligible inmate costs."

## **Appendix E: Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ) Overview**

### **Overview**

The Department of Justice has updated how state and local law enforcement agencies will submit applications for reimbursement under the State Criminal Alien Assistance Program. Starting in the FY 2021 application cycle, submitting agencies will be required to certify that they seek reimbursement payments only with respect to those undocumented criminal aliens about whom the applicant government has provided specific notice to the Department of Homeland Security of the alien's name, the release date, and his/her home and work addresses. For the 2020 SCAAP application, the Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ) field will be optional for each inmate record. For the 2021 SCAAP application, the LESC IAQ field will be required.

Submitting agencies will establish the eligibility of inmates for SCAAP reimbursement by sending notification to the Immigration and Customs Enforcement LESC in the form of an IAQ.

LESC is ICE's single national point of contact that provides timely immigration status information, identity information, and real-time assistance to local, state, and federal law enforcement agencies on aliens suspected, arrested, or convicted of criminal activity. LESC, located in Williston, Vermont, operates 24 hours a day, 7 days a week, 365 days a year.

### **Guidance to submitting agencies**

For more information and FAQs, please see the following link:

<https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/IAQ-FAQ-June2019.pdf>.

PGM: GMCOMMV2	DATE 01-26-2021	PAGE: 1
NAME	AMOUNT	CHECK NO. TOTAL
JURY FUND		
DAWN DONUTS	52.50	479218
ROAD & BRIDGE PCT.#1		52.50**
ENTERGY	93.75	479098
M&D SUPPLY	448.17	479105
HLAVINKA EQUIPMENT COMPANY	69.88	479179
GULF COAST	772.20	479238
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
ROAD & BRIDGE PCT.#2		1,483.00**
MUNRO'S	20.00	479109
LOWE'S HOME CENTERS, INC.	75.96	479160
CENTERPOINT ENERGY RESOURCES CORP	177.01	479173
TRAFFIC PARTS INC	1,400.00	479178
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
ROAD & BRIDGE PCT. # 3		1,771.97**
A&A EQUIPMENT	253.00	479076
FARM & HOME SUPPLY	100.35	479091
GULF COAST AUTOMOTIVE, INC.	398.27	479097
ENTERGY	27.90	479098
MUNRO'S	65.70	479109
RITTER @ HOME	244.43	479116
S.E. TEXAS BUILDING SERVICE	43.33	479122
LOWE'S HOME CENTERS, INC.	315.33	479160
SMITTY'S HAMSHIRE GULF	60.00	479223
GULF COAST	1,510.20	479238
WES VICE HARDWOODS & SUPPLY INC	199.46	479244
ROAD & BRIDGE PCT.#4		3,217.97**
M&D SUPPLY	61.01	479105
MUNRO'S	81.59	479109
OFFICE DEPOT	604.70	479112
OIL CITY TRACTORS, INC.	49.99	479113
DEPARTMENT OF INFORMATION RESOURCES	.01	479135
UNITED STATES POSTAL SERVICE	7.95	479154
ON TIME TIRE	2,334.51	479201
ASCO	1,359.59	479208
LESTER SMITH INSURANCE	71.00	479211
O'REILLY AUTO PARTS	7.98	479232
GULF COAST	71.12	479238
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
ENGINEERING FUND		4,748.45**
OFFICE DEPOT	836.97	479112
UNITED STATES POSTAL SERVICE	2.80	479154
FUNCTION 4 LLC - WELLS FARGO FINANC	275.00	479250
PARKS & RECREATION		1,114.77**
FAST SIGNS, INC.	1,281.00	479092
RITTER @ HOME	27.03	479116
SPRINT WASTE SERVICES LP	378.00	479213
GENERAL FUND		1,686.03**
TAX OFFICE		
OFFICE DEPOT	714.51	479112
UNITED STATES POSTAL SERVICE	1,321.14	479154
ATTABOY TERMITE & PEST CONTROL	42.11	479183
FUNCTION 4 LLC - WELLS FARGO FINANC	396.00	479250
COUNTY HUMAN RESOURCES		2,473.76*
UNITED STATES POSTAL SERVICE	11.52	479154

PGM: GMCOMMV2	DATE 01-26-2021	AMOUNT	CHECK NO.	PAGE: 2 64 TOTAL
NAME				
FUNCTION 4 LLC - WELLS FARGO FINANC		99.00	479250	
AUDITOR'S OFFICE				110.52*
UNITED STATES POSTAL SERVICE		701.52	479154	
FUNCTION 4 LLC - WELLS FARGO FINANC		211.00	479250	
COUNTY CLERK				912.52*
FED EX		22.41	479093	
OFFICE DEPOT		199.36	479112	
UNITED STATES POSTAL SERVICE		190.07	479154	
FUNCTION 4 LLC - WELLS FARGO FINANC		409.00	479250	
COUNTY JUDGE				820.84*
UNITED STATES POSTAL SERVICE		.84	479154	
ROCKY LAWDERMILK		2,300.00	479162	
HARVEY L WARREN III		3,200.00	479186	
JAN GIROUARD & ASSOCIATES LLC		200.00	479221	
FUNCTION 4 LLC - WELLS FARGO FINANC		99.00	479250	
BRADLEY & STEELE, PLLC		500.00	479252	
RISK MANAGEMENT				6,299.84*
UNITED STATES POSTAL SERVICE		2.00	479154	
FUNCTION 4 LLC - WELLS FARGO FINANC		99.00	479250	
COUNTY TREASURER				101.00*
OFFICE DEPOT		186.21	479112	
CDW COMPUTER CENTERS, INC.		89.07	479132	
UNITED STATES POSTAL SERVICE		70.64	479154	
PURCHASING DEPARTMENT				345.92*
CDW COMPUTER CENTERS, INC.		129.39	479132	
UNITED STATES POSTAL SERVICE		.84	479154	
FUNCTION 4 LLC - WELLS FARGO FINANC		99.00	479250	
GENERAL SERVICES				229.23*
SPINDLETOP MHMR		34,666.91	479104	
ADVANCED STAFFING		97.50	479131	
TOWER COMMUNICATIONS, INC.		2,517.00	479152	
MCGRIFF, SEIBELS & WILLIAMS OF TX		2,245.00	479165	
DATA PROCESSING				39,526.41*
CDW COMPUTER CENTERS, INC.		209.00	479132	
AT&T GLOBAL SERVICES		9,522.50	479167	
FUNCTION 4 LLC - WELLS FARGO FINANC		99.00	479250	
VOTERS REGISTRATION DEPT				9,830.50*
SOUTHERN COMPUTER WAREHOUSE		379.43	479081	
UNITED STATES POSTAL SERVICE		194.56	479154	
ELECTIONS DEPARTMENT				573.99*
FUNCTION 4 LLC - WELLS FARGO FINANC		99.00	479250	
DISTRICT ATTORNEY				99.00*
OFFICE DEPOT		438.33	479112	
UNITED STATES POSTAL SERVICE		155.17	479154	
THOMSON REUTERS-WEST		4,067.58	479210	
FUNCTION 4 LLC - WELLS FARGO FINANC		508.00	479250	
DISTRICT CLERK				5,169.08*
KIRKSEY'S SPRINT PRINTING		69.11	479102	
OFFICE DEPOT		73.16	479112	

PGM: GMCOMMV2	DATE 01-26-2021		PAGE: 3
NAME	AMOUNT	CHECK NO.	TOTAL 65
UNITED STATES POSTAL SERVICE	133.01	479154	
AERIALINK INC	112.90	479225	
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	487.18*
CRIMINAL DISTRICT COURT			
FUNCTION 4 LLC - WELLS FARGO FINANC	198.00	479250	198.00*
58TH DISTRICT COURT			
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	99.00*
60TH DISTRICT COURT			
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	99.00*
136TH DISTRICT COURT			
THOMSON REUTERS-WEST	45.36	479210	45.36*
172ND DISTRICT COURT			
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	99.00*
252ND DISTRICT COURT			
UNITED STATES POSTAL SERVICE	24.68	479154	
JASON ROBERT NICKS	900.00	479185	
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	1,023.68*
279TH DISTRICT COURT			
LAIRON DOWDEN, JR.	510.00	479088	
NATHAN REYNOLDS, JR.	200.00	479115	
LANGSTON ADAMS	100.00	479163	
JOEL WEBB VAZQUEZ	200.00	479171	
JONATHAN L. STOVALL	100.00	479192	1,110.00*
317TH DISTRICT COURT			
LINDSAY LAW FIRM, PLLC	1,800.00	479193	
PATRICIA VELASCO	2,465.42	479219	
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	4,364.42*
JUSTICE COURT-PCT 1 PL 1			
OFFICE DEPOT	2.20	479112	
UNITED STATES POSTAL SERVICE	21.19	479154	
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	122.39*
JUSTICE COURT-PCT 2			
TAC - TEXAS ASSN. OF COUNTIES	95.00	479124	95.00*
JUSTICE COURT-PCT 4			
DEPARTMENT OF INFORMATION RESOURCES	.12	479135	.12*
JUSTICE COURT-PCT 6			
UNITED STATES POSTAL SERVICE	13.63	479154	
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	112.63*
JUSTICE COURT-PCT 7			
DEPARTMENT OF INFORMATION RESOURCES	.23	479135	.23*
JUSTICE OF PEACE PCT. 8			
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250	99.00*
COUNTY COURT AT LAW NO.1			

PGM: GMCOMMV2	DATE 01-26-2021	AMOUNT	CHECK NO.	PAGE: 4 66 TOTAL
NAME				
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250		99.00*
COUNTY COURT AT LAW NO. 2				
PETER DOYLE	250.00	479089		
UNITED STATES POSTAL SERVICE	9.72	479154		
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250		358.72*
COUNTY COURT AT LAW NO. 3				
UNITED STATES POSTAL SERVICE	10.48	479154		
JARED GILTHORPE	400.00	479214		410.48*
COURT MASTER				
UNITED STATES POSTAL SERVICE	2.50	479154		
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250		101.50*
MEDIATION CENTER				
UNITED STATES POSTAL SERVICE	3.77	479154		3.77*
COMMUNITY SUPERVISION				
FUNCTION 4 LLC - WELLS FARGO FINANC	396.00	479250		396.00*
SHERIFF'S DEPARTMENT				
FED EX	10.74	479094		
MCNEILL INSURANCE AGENCY	71.00	479107		
MOORMAN & ASSOCIATES, INC.	170.00	479108		
OFFICE DEPOT	81.50	479112		
SAM'S WESTERN WEAR, INC.	300.06	479118		
TEXAS DEPT OF LICENSING &	700.00	479127		
DEPARTMENT OF INFORMATION RESOURCES	537.32	479135		
VERIZON WIRELESS	3,381.17	479150		
UNITED STATES POSTAL SERVICE	870.93	479154		
BEAUMONT OCCUPATIONAL SERVICE, INC.	34.95	479157		
RITA HURT	550.00	479199		
GALLS LLC	210.00	479217		
3L PRINTING COMPANY	250.00	479220		
THE MONOGRAM SHOP	153.00	479227		
COVENANT TACTICAL LLC	3,760.00	479242		
FUNCTION 4 LLC - WELLS FARGO FINANC	495.00	479250		11,575.67*
CRIME LABORATORY				
ASCLD	140.00	479077		
SIGMA-ALDRICH, INC.	93.12	479078		
FED EX	49.55	479095		
OFFICE DEPOT	92.21	479112		
SWAFS	180.00	479117		
HENRY SCHEIN, INC.	286.56	479120		
BROWNELLS, INC.	50.64	479130		
OFFICE OF COURT ADMINISTRATION	220.00	479159		
CLAN LAB INVESTIGATING CHEMISTS	200.00	479164		
LIPOMED	68.40	479188		
SENTRY AIR SYSTEMS INC	1,208.40	479230		
AIRGAS USA, LLC	1,497.38	479234		
ROBERT BALDWIN	100.00	479243		
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250		4,285.26*
JAIL - NO. 2				
BEAUMONT TRACTOR COMPANY	241.33	479082		
CITY OF BEAUMONT - WATER DEPT.	5,317.40	479084		
COBURN SUPPLY COMPANY INC	143.60	479086		
ECOLAB	569.90	479090		
W.W. GRAINGER, INC.	616.96	479096		
KOMMERICAL KITCHENS	51.50	479103		
M&D SUPPLY	230.42	479105		
SANITARY SUPPLY, INC.	895.84	479119		
WORTH HYDROCHEM	342.00	479129		



PGM: GMCOMMV2	DATE 01-26-2021	PAGE: 5
NAME	AMOUNT	CHECK NO.
		TOTAL
CDW COMPUTER CENTERS, INC.	621.63	479132
TRAILER HITCH DEPOT	829.00	479133
DEPARTMENT OF INFORMATION RESOURCES	6.03	479135
UNITED COMMUNICATIONS, INC.	1,060.00	479136
TEXAS GAS SERVICE	764.78	479166
WORLD FUEL SERVICES	1,649.56	479184
DIAGNOSTIC HEALTH CORPORATION	185.00	479194
TITAN TESTING	100.00	479195
A1 FILTER SERVICE COMPANY	737.60	479197
INDUSTRIAL & COMMERCIAL MECHANICAL	1,872.50	479202
CONSTELLATION NEWENERGY - GAS DIVIS	1,885.34	479207
MATERA PAPER COMPANY INC	3,390.16	479209
GALLS LLC	5,019.35	479217
THE MONOGRAM SHOP	12.00	479227
CORRHEALTH LLC	296,095.62	479231
TRINITY SERVICES GROUP INC	45,730.28	479237
VICTORY SUPPLY LLC	985.32	479239
SUPERIOR WASTE SOLUTIONS LLC	1,597.50	479245
FUNCTION 4 LLC - WELLS FARGO FINANC	818.00	479250
		371,768.62*
JUVENILE PROBATION DEPT.		
UNITED STATES POSTAL SERVICE	6.79	479154
FUNCTION 4 LLC - WELLS FARGO FINANC	297.00	479250
		303.79*
JUVENILE DETENTION HOME		
CITY OF BEAUMONT - WATER DEPT.	771.06	479084
OFFICE DEPOT	301.66	479112
BEN E KEITH FOODS	258.93	479170
CENTERPOINT ENERGY RESOURCES CORP	326.66	479173
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		1,757.31*
CONSTABLE PCT 1		
OFFICE DEPOT	491.80	479112
UNITED STATES POSTAL SERVICE	46.67	479154
TND WORKWEAR CO LLC	744.25	479226
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		1,381.72*
CONSTABLE-PCT 2		
CHRISTOPHER BATES	60.00	479205
		60.00*
CONSTABLE-PCT 6		
UNITED STATES POSTAL SERVICE	4.19	479154
DISCOUNT UNIFORM INTERNATIONAL INC	1,127.42	479176
		1,131.61*
CONSTABLE PCT. 7		
AT&T	35.64	479123
DEPARTMENT OF INFORMATION RESOURCES	.14	479135
		35.78*
CONSTABLE PCT. 8		
TAC - TEXAS ASSN. OF COUNTIES	95.00	479125
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		194.00*
AGRICULTURE EXTENSION SVC		
OFFICE DEPOT	55.69	479112
DAVID OATES	17.83	479222
FUNCTION 4 LLC - WELLS FARGO FINANC	211.00	479250
		284.52*
HEALTH AND WELFARE NO. 1		
UNITED STATES POSTAL SERVICE	75.43	479154
LEXISNEXIS MATTHEW BENDER	36.04	479161
CONNIE M ROBERTS	22.45	479177
FUNCTION 4 LLC - WELLS FARGO FINANC	198.00	479250
EZEA D EDE MD	3,245.08	479251
		3,577.00*
HEALTH AND WELFARE NO. 2		

PGM: GMCOMMV2	DATE 01-26-2021	PAGE: 6
NAME	AMOUNT	CHECK NO. TOTAL
CLAYBAR FUNERAL HOME, INC.	1,040.00	479085
LEXISNEXIS MATTHEW BENDER	36.04	479161
FUNCTION 4 LLC - WELLS FARGO FINANC	198.00	479250
EZEA D EDE MD	3,245.08	479251
		4,519.12*
NURSE PRACTITIONER		
GEORGE V. ZUZUKIN, M.D.	1,000.00	479079
SIERRA SPRING WATER CO. - BT	6.00	479155
		1,006.00*
CHILD WELFARE UNIT		
J.C. PENNEY'S	587.60	479158
		587.60*
ENVIRONMENTAL CONTROL		
DEPARTMENT OF INFORMATION RESOURCES	.01	479135
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		99.01*
INDIGENT MEDICAL SERVICES		
KING'S PHARMACY	368.87	479080
KING'S PHARMACY BEAUMONT	419.94	479200
		788.81*
MAINTENANCE-BEAUMONT		
CITY OF BEAUMONT - WATER DEPT.	10,815.56	479084
COBURN SUPPLY COMPANY INC	263.33	479086
ECOLAB	209.95	479090
HYDRO-CLEAN SERVICES, INC.	435.00	479099
M&D SUPPLY	85.89	479105
RITTER @ HOME	392.24	479116
ACE IMAGEWEAR	224.45	479121
AT&T	171.54	479123
DEPARTMENT OF INFORMATION RESOURCES	609.41	479135
TEXAS FIRE & COMMUNICATIONS	105.00	479137
		13,312.37*
MAINTENANCE-PORT ARTHUR		
DEPARTMENT OF INFORMATION RESOURCES	.38	479135
PARKER LUMBER	35.97	479187
SHOPPA'S FARM SUPPLY	28.06	479216
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		163.41*
MAINTENANCE-MID COUNTY		
JIFFY TROPHIES	25.50	479101
SANITARY SUPPLY, INC.	89.01	479119
ACE IMAGEWEAR	36.49	479121
LOWE'S HOME CENTERS, INC.	28.49	479160
CENTERPOINT ENERGY RESOURCES CORP	179.92	479173
A.C.E. WASTEWATER DISPOSAL SYSTEMS	250.00	479233
		609.41*
SERVICE CENTER		
PHILPOTT MOTORS, INC.	109.45	479114
JEFFERSON CTY. TAX OFFICE	7.50	479138
JEFFERSON CTY. TAX OFFICE	7.50	479139
JEFFERSON CTY. TAX OFFICE	7.50	479140
JEFFERSON CTY. TAX OFFICE	7.50	479141
JEFFERSON CTY. TAX OFFICE	7.50	479142
JEFFERSON CTY. TAX OFFICE	7.50	479143
JEFFERSON CTY. TAX OFFICE	7.50	479144
JEFFERSON CTY. TAX OFFICE	7.50	479145
JEFFERSON CTY. TAX OFFICE	7.50	479146
JEFFERSON CTY. TAX OFFICE	7.50	479147
JEFFERSON CTY. TAX OFFICE	7.50	479148
HERRERA'S EMERGENCY LIGHTING	126.00	479168
BUMPER TO BUMPER	942.60	479172
ROBERT'S TEXACO XPRESS LUBE	7.00	479180
MIGHTY OF SOUTHEAST TEXAS	165.29	479196
ADVANCE AUTO PARTS	255.48	479206
MIDNIGHT AUTO	99.95	479224
		1,788.27*
VETERANS SERVICE		

PGM: GMCOMMV2	DATE 01-26-2021	PAGE: 7
NAME	AMOUNT	CHECK NO. TOTAL
UNITED STATES POSTAL SERVICE	2.20	479154
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		101.20*
		495,147.57**
MOSQUITO CONTROL FUND		
DELL MARKETING L.P.	2,622.00	479087
MUNRO'S	86.09	479109
SHI GOVERNMENT SOLUTIONS, INC.	790.74	479156
CENTERPOINT ENERGY RESOURCES CORP	361.10	479173
PARKER LUMBER	117.57	479187
		3,977.50**
FEMA EMERGENCY		
JORDYN ROBERTS	427.50	479246
		427.50**
J.C. FAMILY TREATMENT		
PATRICIA VELASCO	40.00	479219
MARY BEVIL	1,334.00	479247
		1,374.00**
SECURITY FEE FUND		
ALLIED UNIVERSAL SECURITY SERVICES	8,151.68	479241
		8,151.68**
LAW LIBRARY FUND		
THOMSON REUTERS-WEST	344.69	479210
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		443.69**
EMPG GRANT		
FUNCTION 4 LLC - WELLS FARGO FINANC	275.00	479250
		275.00**
GRANT A STATE AID		
BI INCORPORATED	270.60	479134
		270.60**
COMMUNITY SUPERVISION FND		
BOSWORTH PAPER	393.75	479083
OFFICE DEPOT	183.00	479112
DEPARTMENT OF INFORMATION RESOURCES	.44	479135
UNITED STATES POSTAL SERVICE	168.60	479154
JCCSC	1,025.00	479191
		1,770.79**
JEFF. CO. WOMEN'S CENTER		
AT&T	151.54	479123
BURT WALKER PARTNERS, LTD	4,500.00	479128
DEPARTMENT OF INFORMATION RESOURCES	.07	479135
VINCENT'S A/C	332.19	479151
BEN E KEITH FOODS	1,206.29	479169
SAM'S CLUB DIRECT	209.82	479203
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		6,498.91**
COMMUNITY CORRECTIONS PRG		
MARKET BASKET	89.44	479106
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		188.44**
DRUG DIVERSION PROGRAM		
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
		99.00**
HOTEL OCCUPANCY TAX FUND		
M&D SUPPLY	4.49	479105
MUNRO'S	36.17	479109
OFFICE DEPOT	8.38	479112
DEPARTMENT OF INFORMATION RESOURCES	1.52	479135
UNITED STATES POSTAL SERVICE	3.00	479154
TEXAS HOTEL & LODGING ASSOCIATION	400.00	479182

PGM: GMCOMMV2	DATE 01-26-2021	PAGE: 8
NAME	AMOUNT	CHECK NO. TOTAL
ATTABOY TERMITE & PEST CONTROL	55.00	479183
DISTRICT CLK RECORDS MGMT		508.56**
FUNCTION 4 LLC - WELLS FARGO FINANC	198.00	479250
AIRPORT FUND		198.00**
CASH ADVANCE ACCOUNT	.10	479100
S.E. TEXAS BUILDING SERVICE	4,246.66	479122
TIME WARNER COMMUNICATIONS	105.54	479126
CDW COMPUTER CENTERS, INC.	694.85	479132
UNITED STATES POSTAL SERVICE	2.50	479154
LOWE'S HOME CENTERS, INC.	211.52	479160
CENTERPOINT ENERGY RESOURCES CORP	2,219.13	479173
ALLIED ELECTRICAL SYSTEMS&SOLUTIONS	694.50	479181
ATTABOY TERMITE & PEST CONTROL	263.01	479183
CRAWFORD ELECTRIC SUPPLY COMPANY	270.40	479204
SOUTHEAST TEXAS PARTS AND EQUIPMENT	59.56	479212
PETROLEUM MATERIALS LLC	159.00	479215
TITAN AVIATION FUELS	29,721.12	479235
THE HOME DEPOT PRO	157.76	479236
FUNCTION 4 LLC - WELLS FARGO FINANC	99.00	479250
SE TX EMP. BENEFIT POOL		38,904.65**
GROUP ADMINISTRATIVE CONCEPTS INC	936.00	479189
GROUP ADMINISTRATIVE CONCEPTS INC	156,658.60	479190
EXPRESS SCRIPTS INC	81,320.28	479229
UNITED HEALTHCARE SERVICES INC	1,085.60	479240
LIABILITY CLAIMS ACCOUNT		240,000.48**
STEVENS BALDO & LIGHTY PLLC	45.00	479228
WORKER'S COMPENSATION FD		45.00**
TRISTAR RISK MANAGEMENT	3,524.97	479174
TRISTAR RISK MANAGEMENT	10,866.93	479175
PAYROLL FUND		14,391.90**
JEFFERSON CTY. - FLEXIBLE SPENDING	13,889.00	479056
CLEAT	342.00	479057
JEFFERSON CTY. TREASURER	14,927.45	479058
RON STADTMUELLER - CHAPTER 13	182.31	479059
INTERNAL REVENUE SERVICE	208.00	479060
JEFFERSON CTY. ASSN. OF D.S. & C.O.	4,260.00	479061
JEFFERSON CTY. COMMUNITY SUP.	9,007.61	479062
JEFFERSON CTY. TREASURER - HEALTH	535,305.79	479063
JEFFERSON CTY. TREASURER - GENERAL	25.00	479064
JEFFERSON CTY. TREASURER - PAYROLL	1,947,625.44	479065
JEFFERSON CTY. TREASURER - PAYROLL	715,873.66	479066
MONEY LIFE INSURANCE OF AMERICA	72.54	479067
POLICE & FIRE FIGHTERS' ASSOCIATION	2,010.91	479068
JEFFERSON CTY. TREASURER - TCDRS	791,580.30	479069
JEFFERSON COUNTY TREASURER	2,856.03	479070
JEFFERSON COUNTY - TREASURER -	8,080.87	479071
NECHES FEDERAL CREDIT UNION	38,982.65	479072
JEFFERSON COUNTY - NATIONWIDE	102,411.48	479073
JOHN TALTON	600.00	479074
INVESCO INVESTMENT SERVICES, INC	1,444.99	479075
J C ASSISTANCE DISTRICT 4		4,189,686.03**
ENTERGY	83.97	479098
MARINE DIVISION		83.97**
VERIZON WIRELESS	151.96	479149
NIGHT FLIGHT CONCEPTS INC	370.00	479198
		521.96**
		5,017,039.92***





# Resolution

STATE OF TEXAS

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COMMISSIONERS' COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

BE IT REMEMBERED that at an emergency meeting of the Commissioners' Court of Jefferson County, Texas, held on the 26<sup>th</sup> day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**WHEREAS**, the Jefferson County Commissioners' Court finds that immediate action is required during times of an emergency; and

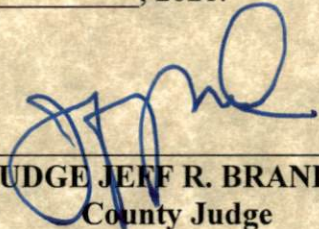
**WHEREAS**, the Jefferson County Commissioners' Court recognizes that the County Judge did sign a Disaster Declaration for Jefferson County on March 13, 2020; and


**WHEREAS**, the Jefferson County Commissioners' Court recognizes that this Disaster Declaration must be renewed pursuant to Section 418.108 (b), Government Code; and

**WHEREAS**, the Jefferson County Commissioners' Court recognizes that Jefferson County remains in a state of disaster as a result of the COVID-19 PANDEMIC and that the renewal of this Declaration of Disaster is necessary for the protection of life and property in Jefferson County;

**NOW THEREFORE, BE IT RESOLVED** that Commissioners' Court of Jefferson County, Texas, does hereby approve the renewal and extension of the Disaster Declaration entered on March 13, 2020.

SIGNED this 26<sup>th</sup> day of January, 2021.

  
\_\_\_\_\_  
**JUDGE JEFF R. BRANICK**  
County Judge

  
\_\_\_\_\_  
**COMMISSIONER VERNON PIERCE**  
Precinct No. 1

  
\_\_\_\_\_  
**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

  
\_\_\_\_\_  
**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

// ABSENT  
\_\_\_\_\_  
**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4







# Resolution

STATE OF TEXAS

COUNTY OF JEFFERSON

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COMMISSIONERS' COURT  
OF JEFFERSON COUNTY, TEXAS

BE IT REMEMBERED that at an emergency meeting of the Commissioners' Court of Jefferson County, Texas, held on the 26<sup>th</sup> day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**RESOLUTION TO RENEW AND EXTEND THE DISASTER DECLARATION FOR HURRICANE DELTA**

**WHEREAS**, the Jefferson County Commissioners' Court finds that immediate action is required during times of an emergency; and

**WHEREAS**, the Jefferson County Commissioners' Court recognizes that the County Judge did sign a Disaster Declaration for Jefferson County on October 8, 2020; and

**WHEREAS**, the Jefferson County Commissioners' Court recognizes that this Disaster Declaration must be renewed pursuant to Section 418.108 (b), Government Code; and

**WHEREAS**, the Jefferson County Commissioners' Court recognizes that Jefferson County remains in a state of disaster as a result of the devastation created by Hurricane Delta and that the renewal of this Declaration of Disaster is necessary for the protection of life and property in Jefferson County;

**NOW THEREFORE, BE IT RESOLVED** that Commissioners' Court of Jefferson County, Texas, does hereby approve the renewal and extension of the Disaster Declaration entered on October 8, 2020.

SIGNED this 26<sup>th</sup> day of January, 2021.

A blue ink signature of Judge Jeff R. Branick.

**JUDGE JEFF R. BRANICK**  
County Judge



A blue ink signature of Commissioner Vernon Pierce.

**COMMISSIONER VERNON PIERCE**  
Precinct No. 1

A blue ink signature of Commissioner Michael S. Sinegal.

**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

A blue ink signature of Commissioner Brent A. Weaver.

**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

// ABSENT

**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4





# Resolution

STATE OF TEXAS

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COMMISSIONERS' COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

BE IT REMEMBERED that at an emergency meeting of the Commissioners' Court of Jefferson County, Texas, held on the 26th day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

## RESOLUTION TO EXTEND DISASTER DECLARATION FOR HURRICANE LAURA

**WHEREAS**, the Jefferson County Commissioners' Court finds that immediate action is required during times of an emergency; and

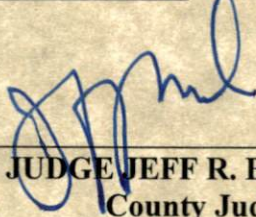
**WHEREAS**, the Jefferson County Commissioners' Court recognizes that the County Judge did sign a Disaster Declaration for Jefferson County on August 23, 2020; and

**WHEREAS**, the Jefferson County Commissioners' Court recognizes that this Disaster Declaration must be renewed pursuant to Section 418.108 (b), Government Code; and

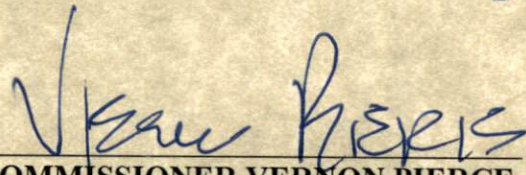
**WHEREAS**, the Jefferson County Commissioners' Court recognizes that Jefferson County remains in a state of disaster as a result of the devastation created by Hurricane Laura and that the renewal of this Declaration of Disaster is necessary for the protection of life and property in Jefferson County;

**NOW THEREFORE, BE IT RESOLVED** that Commissioners' Court of Jefferson County, Texas, does hereby approve the renewal and extension of the Disaster Declaration entered on August 23, 2020.

SIGNED this 26th day of January, 2021.



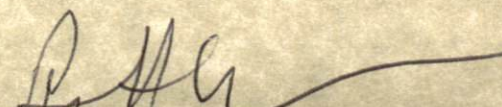
\_\_\_\_\_  
JUDGE JEFF R. BRANICK  
County Judge

\_\_\_\_\_  
COMMISSIONER VERNON PIERCE  
Precinct No. 1



\_\_\_\_\_  
COMMISSIONER MICHAEL S. SINEGAL  
Precinct No. 3



\_\_\_\_\_  
COMMISSIONER BRENT A. WEAVER  
Precinct No. 2

// ABSENT  
\_\_\_\_\_  
COMMISSIONER EVERETTE D. ALFRED  
Precinct No. 4





STATE OF TEXAS

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COMMISSIONERS COURT

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COUNTY OF JEFFERSON

§

OF JEFFERSON COUNTY, TEXAS

**AN ORDER OF THE COMMISSIONERS COURT OF JEFFERSON  
COUNTY, TEXAS DESIGNATING A REINVESTMENT ZONE  
PURSUANT TO SEC 312. 401 OF THE TAX CODE  
(THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT)**

BE IT REMEMBERED at a meeting of Commissioners Court of Jefferson County, Texas, held on the 26th day of January, 2021 on motion made by Brent Weaver, Commissioner of Precinct No 2, and seconded by Michael Sinegal, Commissioner of Precinct No 3, the following Order was adopted

WHEREAS, the Commissioners Court of Jefferson County, Texas desires to create the proper economic and social environment to induce the Investment of private resources in productive business enterprises located in the county and to provide employment to residents of the area; and,

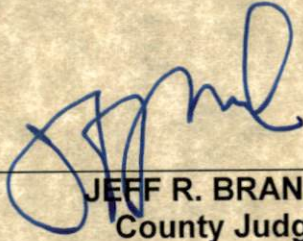
WHEREAS, it is in the best interest of the County to designate the GT Logistics Reinvestment Zone facility in/near Port Arthur, TX a reinvestment zone, pursuant to Sec. 312. 401, Tax Code (The Property Redevelopment and Tax Abatement Act)

IT IS THEREFORE ORDERED BY THE COMMISSIONERS COURT OF JEFFERSON COUNTY, TEXAS

- Section 1. That the Commissioners Court hereby designates the property located at 1998 H O Mills Blvd, Port Arthur, (mailing purposes only), Jefferson County, Texas 77640, further described in the legal description attached hereto as Exhibit "A", and made apart hereof for all purposes, as a Reinvestment Zone (the "Zone")
- Section 2. That the Commissioners Court finds that the Zone area meets the qualifications of the Texas Redevelopment and Tax Abatement Act (hereinafter referred to as the "Act".)
- Section 3. That the Commissioners Court has heretofore adopted Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones in Jefferson County, Texas
- Section 4. That the Commissioners Court held a public hearing to consider this Order on the 26<sup>th</sup> day of January, 2021.
- Section 5. The Commissioners Court finds that such improvements are feasible and will benefit the Zone after the expiration of the agreement
- Section 6. The Commissioners Court finds that creation of the Zone is likely to contribute to the retention or expansion of primary employment in the area and/or would contribute to attract major investments that would be a benefit to the property and that would contribute to the economic development of the community
- Section 7. That this Order shall take effect from and after its passage as the law in such cases provides.

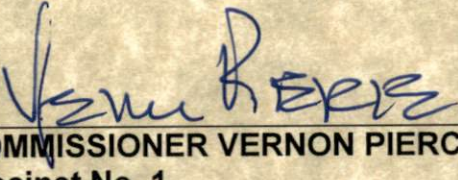


Signed this 26th day of January, 2021.



JEFF R. BRANICK  
County Judge

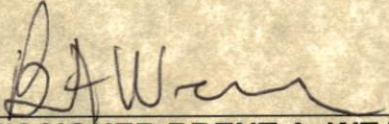




COMMISSIONER VERNON PIERCE  
Precinct No. 1



COMMISSIONER MICHAEL S. SINEGAL  
Precinct No. 3

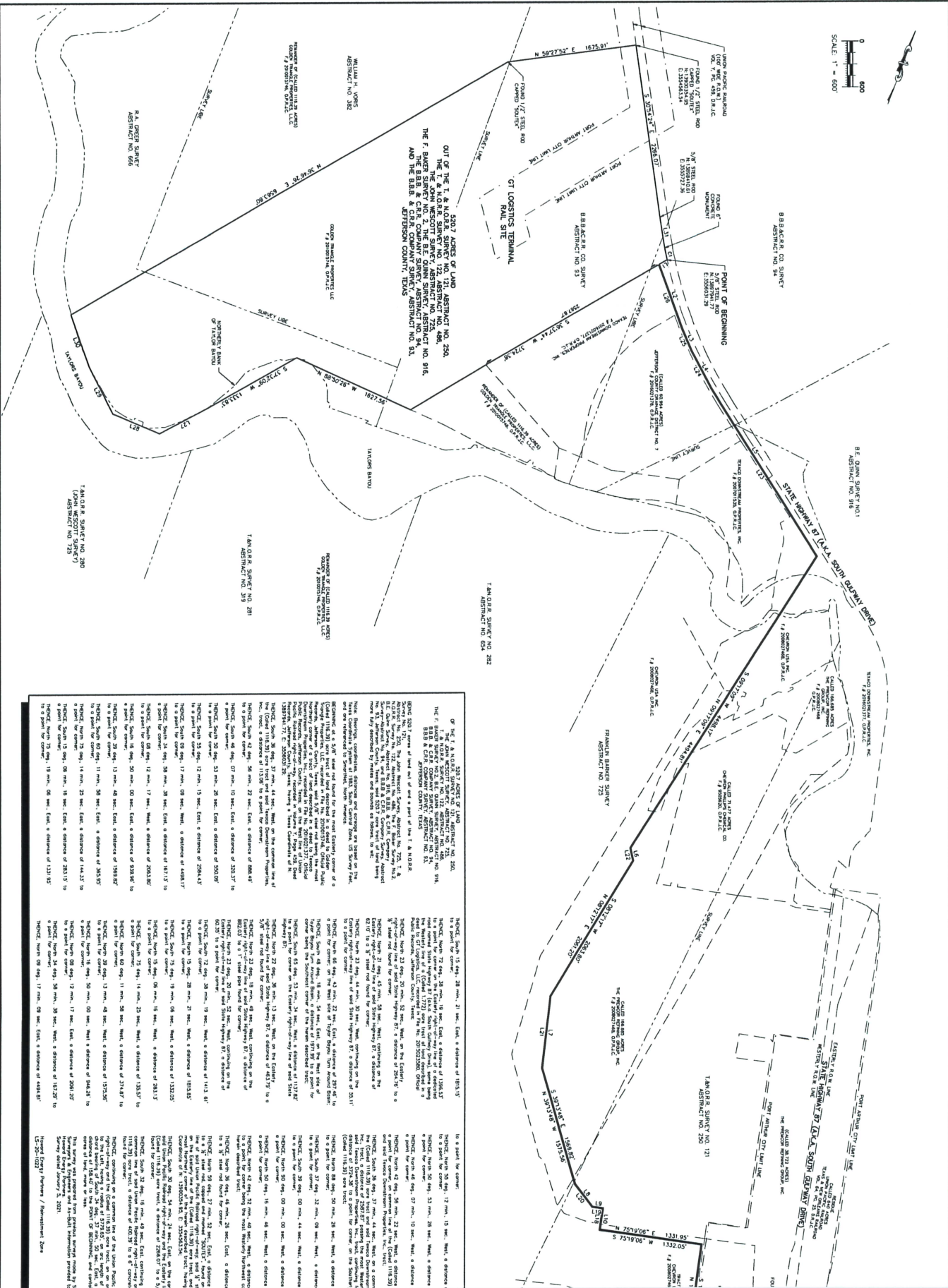


COMMISSIONER BRENT A. WEAVER  
Precinct No. 2

//ABSENT

COMMISSIONER EVERETTE D. ALFRED  
Precinct No 4





## DESCRIPTION OF SERVICES

**SURVEYOR'S CERTIFICATION:**  
The undersigned does hereby certify that this survey was this day 1/3/21 made, of the property legally described hereon in accordance with the minimum standards of practice promulgated by the Texas Board of Professional Engineers and Land Surveyors. This survey is certified for this transaction only, and is non-transferable to additional institutions or subsequent owners.

ANTHONY M. LEGER  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 548



## SURVEYORS' NOTES

1. BEARINGS, COORDINATES, DISTANCES, & ACREAGE ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, U.S. SURVEY FEET AND ARE REFERENCED TO SMARTNET, NORTH AMERICA.



FOR THE YEAR 1998

3737 Doctors Drive  
Port Arthur, Texas 77642  
Tel. 409.985.2004  
Fax. 409.985.2005  
soulexsurveyors.com

**HOWARD ENERGY PARTNERS**  
16211 LA CANTERA PARKWAY, SUITE 100  
SAN ANTONIO, TEXAS 78258

SH

**AGENDA ITEM****January 26, 2021**

Consider and possibly approve and authorize the County Judge to execute an Abatement Agreement for Property located in the GT Logistics Reinvestment Zone Pursuant to Sec. 312.401, Texas Property Tax Code.



STATE OF TEXAS

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COUNTY OF JEFFERSON

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### ABATEMENT AGREEMENT FOR PROPERTY LOCATED IN THE GT LOGISTICS REINVESTMENT ZONE

Pursuant to Section 312.401 of the Texas Tax Code, this Tax Abatement Agreement (hereinafter referred to as the "AGREEMENT") is made and entered into by and between Jefferson County (hereinafter sometimes referred to as "the COUNTY"), and GT LOGISTICS, LLC. (hereinafter sometimes referred to as "GTL" or "OWNER").

#### 1. RECITALS

WHEREAS, OWNER possesses interests in taxable real property located within the GT Logistics Reinvestment Zone, the designation of which was implemented by the COUNTY by an Order dated January 19, 2021 (hereinafter referred to as the "REINVESTMENT ZONE"); and

WHEREAS, OWNER proposes to lease from Golden Triangle Properties LLC additional taxable real property located within the REINVESTMENT ZONE; and

WHEREAS, this AGREEMENT is limited to the project to be constructed by OWNER, on various parcels of land located within the REINVESTMENT ZONE, which is described with particularity in Exhibit "A" attached hereto and which will involve construction of a new Renewable Fuels Processing Facility and related improvements and infrastructure (hereinafter referred to collectively as the "PROJECT"); and

WHEREAS the COUNTY wishes to encourage OWNER to select Jefferson County as the site for the PROJECT; and

WHEREAS, the REINVESTMENT ZONE is an area within Jefferson County, Texas, which has been designated by Order of this Court, the legal description for which is attached hereto as Exhibit "C." It is understood and agreed that the REINVESTMENT ZONE boundary is subject to revision based on the final construction plan of the PROJECT, and the COUNTY agrees to take



the steps necessary to amend the REINVESTMENT ZONE boundary, consistent with such final PROJECT, upon request of OWNER.

NOW, THEREFORE, for the mutual consideration set forth below, the Parties hereto agree as follows:

## 2. AUTHORIZATION

**THIS AGREEMENT IS AUTHORIZED BY THE TEXAS PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT, TEX. TAX CODE CHAPTER 312, AS AMENDED, AND BY ORDER OF THE JEFFERSON COUNTY COMMISSIONERS COURT ESTABLISHING AND ADOPTING THE GT LOGISTICS REINVESTMENT ZONE.**

## 3. DEFINITIONS

For purposes of this AGREEMENT, the following terms shall have the meanings set forth below:

“Abatement” means the full or partial exemption from ad valorem taxes of the value of certain property located in the REINVESTMENT ZONE designated for economic development purposes.

“Affiliate” of any specified person or entity means any other person or entity which, directly or indirectly, through one or more intermediaries, controls, or is controlled by, or is under common control with such specified person or entity. For purposes of this definition, the term “control” (including the terms “controlled by” and “under common control with”) means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of such person or entity, whether through the ownership of voting securities, by contract or otherwise.

“Base Year Value” means the taxable value of eligible industrial realty improvements of the owner within Jefferson County on January 1 preceding the execution of the abatement agreement and which property is owned by the owner, co-owner and/or its parent companies, subsidiaries, partner or joint ventures or any entity exercising legal control over the owner or subject to control by the owner. Owner will attach as Exhibit “F-Affiliates” those properties which are co-owned or which are parent companies, partnerships, joint-ventures or other entities in Jefferson County over which the Owner herein exercises legal control

“Base year”, for the parties to this agreement, is defined as the calendar year in which this abatement contract is executed (signed) by all parties hereto.

“Ineligible Property The following types of property shall be fully taxable and ineligible for tax abatement: land, supplies, inventory, vehicles, vessels, housing, improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion; any improvements, including those to produce, store or distribute natural gas, fluids or gases, which are not integral to the operation of the facility; deferred maintenance, property to be rented or

leased (except as provided in Section III(f), property which has a productive life of less than ten years, or any other property for which abatement is not allowed by state law.

“Eligible Property means realty improvements, the on-site buildings, structures, fixed machinery and equipment, storage tanks, process units (including all integral components necessary for operations), site improvements, and infrastructure included in the PROJECT, and the permanent office space and related fixed improvements necessary to the operation and administration of the PROJECT, as defined in the Tax Code, but does not include personal property.

“New Eligible Property” means Eligible Property, the construction of which commences subsequent to the effective date of this AGREEMENT. During the construction phase of the New Eligible Property, the OWNER may make such change orders to the New Eligible Property as are reasonably necessary to accomplish its intended use. It is expressly understood that, notwithstanding anything to the contrary written herein, energy, electricity, manufacturing supplies (e.g., foreign manufactured catalysts), feedstocks, freight, and direct materials that physically become a part of the end product manufactured by the PROJECT) are not subject to the terms of this AGREEMENT.

“Taxable Value” for each taxing entity executing an abatement agreement is determined by deducting from the Market Value of all industrial realty improvements of a property owner and/or its affiliates the amount of any applicable exemptions and abatements granted for that Tax Year.

“Completion” as used herein, shall mean, the successful commissioning of the PROJECT and the attainment of reliable operations. OWNER shall certify in writing to the COUNTY when such Completion is attained.

“Full-time job”, as used herein, shall mean a permanent full-time position that: requires at least 1,600 hours or work per year, is not a transferred from another area of the state, is not created to replace a previous employee, and is covered by a group health benefit plan, and pays at least 110% of the county average weekly wage for manufacturing jobs in Jefferson County.

“Payment in Lieu of Taxes”. If, during the period of this abatement, any Federal or State law provides an additional tax exemption for the property that is already the subject of this agreement, Applicant agrees to decline that tax exemption during the period of this abatement. If Applicant is unable to decline that tax exemption, Applicant agrees to pay the taxes, or payment in lieu of taxes, on the reduction of property tax revenue to the COUNTY that is the result of said exemption. Any payment in lieu of taxes shall be due on or before November 15 of the year in which payment is due.

#### **4. TERM OF ABATEMENT**

This AGREEMENT shall be effective and enforceable upon execution by both parties (which date is herein referred to as the "Effective Date"). The Term of the Abatement pursuant to this AGREEMENT shall begin on January 1, 2024, and shall terminate on December 31, 2033, unless sooner terminated pursuant to other provisions of this AGREEMENT. Should OWNER not begin



the construction of the PROJECT by December 31, 2021, this AGREEMENT shall be null and void.

## 5. OWNER REPRESENTATIONS/OBLIGATIONS

In order to receive a tax abatement with respect to a tax year listed on EXHIBIT: Tax Abatement Schedule,” OWNER shall comply with the following:

- a. As a result of the PROJECT, and upon its Completion (currently estimated to be not later than the first quarter, 2025), maintain a level of not less than 30-plus new full-time jobs (consisting of both permanent direct employee jobs and permanent contractor jobs), using headcount as of May 1, 2020 as the starting point, relating to the PROJECT during the remaining term of this AGREEMENT; provided, however that OWNER may reduce employment levels due to improved efficiencies or changing economic conditions during the term of this AGREEMENT as long as such employment levels do not fall below 30 full-time jobs for total on site employment by owner during said term. In the event that such employment falls below 30 full-time jobs for total on site employment, Abatement shall be reduced proportionate to such employment decline beginning with the tax year in which the decline occurs and each tax year thereafter per the example calculation cited below where:
 

A1 = initial Abatement \$s  
 A2 = revised Abatement \$s  
 E1 = 30 full-time jobs  
 E2 = revised employee count  
 $A2 = A1 \times (E2/E1)$
- b. Report and certify the requisite job levels to the COUNTY, annually during each tax year under this AGREEMENT;
- c. Construct the PROJECT with an estimated investment of \$200 million to \$300 million;
- d. Make available to the COUNTY information concerning the details of contractor bids, every quarter, during the construction phase of the PROJECT under the express understanding that COMPANY is providing the COUNTY such contractor bid information on a strictly confidential basis so as to maintain the integrity of the competitive bid process;
- e. Report and certify to the COUNTY the requisite cost of the PROJECT within 120 days after the completion of the PROJECT (or 120 days after the Effective Date, whichever is later);
- f. Ensure that qualified local labor, vendors, suppliers, and sub-contractors are given a timely opportunity to bid on contracts for the provision of supplies, goods and services (including engineering and construction services, e.g., piping, electrical, civil, fabrication) in connection with construction of the PROJECT and any turnaround project which is undertaken as part of or in connection with the PROJECT during the term of the abatement

period. Such consideration shall be made in good faith without discrimination. For purposes of the foregoing:

- i. “Local labor” is defined as those qualified laborers or craftsmen who are residents and domiciliaries of the nine county regions comprised of Jefferson, Orange, Hardin, Jasper, Newton, Liberty, Tyler and Chambers Counties, as well as the Bolivar Peninsula area of Galveston County. “Local vendors” and “local suppliers” shall include only those located or having a principal office in Jefferson County. “Local subcontractors” shall include only those located or having a principal office in Jefferson County.
- ii. OWNER agrees to give preference and priority to local manufacturers, suppliers, vendors, contractors and labor, except where not reasonably possible to do so without significant added expense, substantial inconvenience, or sacrifice in operating efficiency. For any such exception in cases involving purchases over \$1 million, a justification for such purchase shall be included in OWNER’S annual letter of compliance. OWNER further acknowledges that it is a contractual obligation, under this agreement, of persons receiving property tax abatements to favor local manufacturers, suppliers, contractors, and labor, all other factors being equal. In the event of a breach of this “buy local” provision, OWNER agrees that the percentage of abatement shall be proportionately reduced in an amount equal to the amount the disqualified contract bears to the total construction cost for the PROJECT.
- iii. OWNER agrees that it will provide sufficient notice and information regarding of the project to qualified local contractors to enable them to submit bids for materials in the initial procurement processes, including but not limited PROJECT information provided in job fairs to be conducted by OWNER.
- g. Report and certify to the COUNTY, quarterly the total number of dollars spent on local labor, local subcontractors and local vendors/suppliers, as total and percentage compared to total dollars spent in connection with the PROJECT;
- h. OWNER will invoice purchases locally to ensure that sales taxes credited to the benefit of Jefferson County, Texas. As further clarification OWNER will enter into a Separate Contract as defined in 34 Texas Administrative Code 3.291 (a) (13) with an EPC contractor (EPC) for the construction of the new plant facility Project to be located in the Reinvestment Zone of OWNER in Jefferson County Texas.

OWNER will obtain a Texas Direct Payment Permit (DPP) and issue a DPP exemption certificate in lieu of sales tax to EPC. OWNER will remit use taxes on taxable purchases made for use in the PROJECT directly to the state of Texas on its monthly Texas Direct Payment Return for both state and county taxes at the applicable rates. The State of Texas collects Limited, Sales, Excise and Use Taxes for both the state and local tax jurisdictions. The state is responsible for distributing the local taxes it collected to the applicable local jurisdiction.



- i. Not in any way discriminate against or treat disparately union contractors who choose to participate in the competitive bid process relating to work on the PROJECT, nor discriminate against or treat disparately union members who seek employment on the PROJECT; and
- j. Encourage and promote the utilization of Historically Underutilized Businesses (HUBs) (also known as Disadvantaged Business Enterprises, or DBEs) by the general contractor engaged by OWNER to construct the PROJECT and any turnaround project which is undertaken as part of or in connection with the PROJECT during the term of the abatement period by ensuring qualified HUB/DBE vendors and contractors are given a timely opportunity to bid on contracts for supplies and services. For purposes of the foregoing:
  - i. A HUB/DBE is a business owned or controlled by Socially and Economically Disadvantaged Individuals as defined by all applicable federal or state laws and local policies, including Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian Indian Americans, women, and individuals with disabilities.
  - ii. A HUB/DBE is one that is at least 51 percent owned or controlled by one or more women or Socially and Economically Disadvantaged Individuals or, in the case of a publicly-owned business, one that at least 51 percent of the stock of which is controlled by one or more women or Socially and Economically Disadvantaged Individuals.
  - iii. A business that has been certified as a HUB/DBE by an agency of the federal government or the State of Texas is presumed to be a HUB/DBE for purposes of Agreement.
  - iv. Only a HUB/DBE with its principal office in the State of Texas will be recognized as a HUB/DBE for purposes of this Agreement. A list of HUB/DBE vendors/suppliers is maintained in the COUNTY office and a list of same is attached hereto as Exhibit D. As to the use of qualified local and HUB/DBE vendors, suppliers and sub-contractors, OWNER will, at a minimum:
- k. Consult with chambers of commerce, minority business associations, trade associations and other regional economic development organizations to identify local and HUB/DBE vendors, suppliers and sub-contractors;
- l. Notify qualified local and HUB/DBE vendors, suppliers and sub-contractors, allowing sufficient time for effective preparation of bids for the planned work to be sub-contracted or materials, supplies or equipment to be purchased;
- m. Provide qualified local and HUB/DBE vendors, suppliers and sub-contractors who are interested in bidding on a subcontract or contract for materials, supplies, equipment, or the provision of engineering and construction services and labor adequate information regarding the project as early as is practicable in the bidding process in order to allow the

HUB/DBE vendors, suppliers and sub-contractors sufficient time to prepare a bid (*i.e.*, plans, specifications, scope of work, bonding and insurance requirements, and a point of contact within the general/prime contractor);

- n. Negotiate in good faith with interested qualified local and HUB/DBE vendors, suppliers or sub-contractors, and award sub-contracts or contracts for materials, supplies equipment, or the provision of engineering and construction services and labor to local or HUB/DBE vendors, suppliers or sub-contractors when they are the lowest qualified responsive bidder who meets all of the applicable bid specifications; and

Include a provision in OWNER'S contract with the general/prime contractor on the PROJECT which requires the general/prime contractor to read and comply with the terms of this AGREE Provide access to and authorize the inspection of the Eligible Property by the County's personnel to ensure that the improvements or repairs thereto are made according to the specifications and conditions of this AGREEMENT.

- o. Provide access to and authorize the inspection of the Eligible Property by the County's personnel to ensure that the improvements or repairs thereto are made according to the specifications and conditions of this AGREEMENT.
- p. Provide access to and authorize the inspection of the Eligible Property by the County's personnel to ensure that the improvements or repairs thereto are made according to the specifications and conditions of this AGREEMENT.

## 6. VALUE OF ABATEMENT

For each year under this Agreement, the abatement percentage received by OWNER under this AGREEMENT with respect to the value of New Eligible Property, is set forth on attached Exhibit: "Tax Abatement Schedule"

The Abatement during each year covered by this Agreement shall be the value attributable to the Project multiplied by Abatement Schedule, adjusted by the Base Year Value.

## 7. QUARTERLY MONITORING MEETINGS

With respect to the quarterly monitoring meetings referenced in Section 5(d) above, the County Judge, County Commissioners, or their designee(s) shall be allowed to attend such quarterly monitoring meetings, on the express condition that they execute a confidentiality agreement prepared by OWNER so as to protect confidential information which may be disclosed to them during or as a result of such monitoring meetings. OWNER agrees to reimburse the COUNTY in an amount not to exceed to \$4,000.00 annually for the costs or expenses actually incurred by the COUNTY in monitoring the status of the bidding process every quarter during the construction phase of the PROJECT. OWNER will provide the COUNTY with quarterly reports which detail procurement of services, equipment and labor utilized in construction.



## **8. TAXABILITY**

During the period that this AGREEMENT is effective, taxes shall be payable as follows:

- a. The value of Ineligible Property shall be fully taxable;
- b. The Taxable Value of existing Eligible Property as determined each shall be fully taxable; and
- c. The value of New Eligible Property shall be abated as set forth in Section 6, hereinabove.

## **9. ADJUSTMENTS TO ABATEMENT FOR BASE YEAR VALUE DECLINE**

The Jefferson Central Appraisal District will establish the certified values of Eligible Property as of January 1, 2021 (year abatement executed) as set forth on attached Exhibit "B," and such values shall be the values used to calculate the Base Year Value as herein defined. If on January 1<sup>st</sup> of any tax year listed on the "Tax Abatement Schedule" the Taxable Value is less than the Base Year Value, then the abatement of value otherwise available shall be reduced by one dollar for each dollar that the Taxable Value of realty improvements is less than the Base Year Value, except that no such reduction of OWNER's abatement shall be made should any reduction to Taxable Value of OWNER's Eligible Property result from a Force Majeure event.

In the event OWNER, Joint Venture, or Owner's Affiliates reduces its ad valorem taxes on personal property otherwise payable to the COUNTY by participating in a foreign trade zone, then the amount of abated value otherwise available shall be reduced by one dollar for each dollar of tax value reduction attributable to special treatment from trade zone participation. The parties hereto stipulate and agree that they have received certified appraisal value for this property, as calculated by the Jefferson Central Appraisal District.

It is specifically understood and agreed by OWNER, Joint Venture, or Owner's Affiliates that, if at any time during the effective dates of this agreement relating to abatement, OWNER files or prosecutes an action in district court to contest the appraised value of any property of OWNER or OWNER's affiliates, or Joint Venture within Jefferson County for unequal appraisal or revision thereof pursuant to Sec. 42.26, Texas Tax Code, any and all abatements granted by the COUNTY to OWNER, Joint Venture, or its affiliates shall become null and void and cancelled.

## **10. POLLUTION CONTROL EXEMPTION**

The COUNTY understands that OWNER plans (i) to request from the TCEQ a determination under Section 11.31 of the Texas Tax Code that certain property included in the New Eligible Property is pollution control property, and (ii) to apply for an exemption from ad valorem taxes under Section 11.31 of the Texas Tax Code with respect to all or a portion of such property determined by the TCEQ to be pollution control property. The maximum dollar value for equipment that OWNER intends to claim to the TCEQ as exempt from taxation under Section 11.31 is fifteen percent (15%) of cost ("Intended Maximum"), though that number could change as current estimated project costs are refined. It is understood that the COUNTY would not have agreed to this abatement percentages if it were known that the actual exempt property claimed by

OWNER would exceed the Intended Maximum. In the event OWNER ultimately obtains an amount in excess of the Intended Maximum in any year of Abatement under this AGREEMENT (such amount the "Exempt Property Excess"), the percentage of abatement described in the "Abatement Schedule" shall be reduced pro rata so as to reimburse the COUNTY for the total decrease in County tax revenue during the abatement period beginning on January 1, 2020 which is expected to result from the Exempt Property Excess. It is understood and agreed that OWNER will not seek a tax exemption for any equipment or portion of the facility which merely reduces the pollution characteristics of the finished product produced by the facility and that an exemption will only be sought for equipment and technology utilized to reduce pollution at or around the facility.

## 11. EVENT OF DEFAULT

If either party should default in performing any obligation under this AGREEMENT, the other party shall provide such defaulting party written notice of default and provide the defaulting party with a minimum period of thirty (30) days to cure such default prior to instituting an action for breach or pursuing any other remedy for default, provided however, that, if the default is of such a nature that it cannot, with the exercise of reasonable diligence, be cured within thirty (30) days, then such party shall not be in default so long as such party has commenced such cure within thirty (30) days after receiving written notice of such default and is diligently prosecuting such cure to completion. Subject to providing such notice of default and the aforesaid opportunity to cure same, the party aggrieved by default shall have the right to terminate this AGREEMENT and to pursue any remedy available at law or in equity, for breach hereof. In addition, if a party (the "Affected Party") shall become unable to timely perform any of its obligations under this AGREEMENT, other than any obligation to pay money, as a consequence of a Force Majeure Event, the Affected Party shall be relieved of such obligation (and such failure to timely perform such obligation shall not constitute a default) to the extent that and for so long as (but only to the extent that and only for so long as) it is unable to timely perform such obligation as a consequence of such Force Majeure Event. A "Force Majeure Event" means any of the following: (a) acts of God, earthquakes, tidal waves, lightning, floods, and storms; (b) explosions and fires; (c) strikes and lockouts; (d) wars, riots, acts of the public enemy, civil disturbances, hostilities, sabotage, blockades, insurrections, terrorism, and epidemics; (e) acts of expropriation, confiscation, nationalization, requisitioning, or other taking; and (f) any other event, condition, or circumstance beyond the reasonable control of the party claiming relief as a consequence thereof; provided, however, that "Force Majeure Event" does not include the inability to make payment or financial distress.

## 12. RECAPTURE OF TAXES

In the event the COUNTY terminates this AGREEMENT pursuant to the provisions of Section 11 as a result of any event of default by OWNER under such Section 11, including, for the avoidance of doubt, if OWNER fails to make the improvements to the Eligible Property as provided by this AGREEMENT, the COUNTY shall be entitled to recapture and be paid all taxes previously abated by virtue of this AGREEMENT within thirty (30) days of the termination, together with all penalties and interest required by the Texas Property Tax Code.



### 13. TERMINATION

OWNER shall have the right to terminate this agreement at any time upon thirty (30) days' written notice to the COUNTY and COUNTY shall have the right of recapture per Provision number 12 above.

### 14. ASSIGNMENT

OWNER may assign this AGREEMENT, in whole or in part, to a new owner or lessee of the same PROJECT, or a portion thereof, or to an Affiliate of OWNER upon written approval by resolution of the COMMISSIONERS COURT of such assignment, and approval shall not be unreasonably withheld or delayed. It shall not be unreasonable for the COURT to withhold approval if OWNER or the proposed assignee is liable to the COUNTY for outstanding taxes or other obligations.

### 15. ENTIRE AGREEMENT

The Parties agree that this AGREEMENT contains all of the terms and conditions of the understanding of the Parties relating to the subject matter hereof. All prior negotiations, discussions, correspondence and preliminary understandings between the parties and others relating hereto are superseded by the AGREEMENT.

### 16. SUCCESSORS AND ASSIGNS

This AGREEMENT shall be binding on and inure to the benefit of the parties, their respective successors and assigns. OWNER may not assign all or part of its rights and obligations hereunder without the prior written consent of the COUNTY, which shall not be unreasonably withheld or delayed. It shall not be unreasonable to withhold consent to assignment if OWNER or the proposed assignee(s) is/are delinquent in the payment of any ad valorem taxes.

### 17. NOTICE

Any notice and/or statement required and permitted to be delivered shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses:

**OWNER:** Howard Energy Partners  
Attn: Legal Department  
16211 La Cantera Parkway, Suite 202  
San Antonio, Texas 78256

With a copy to: Howard Energy Partners  
Attn: Property Tax Department  
16211 La Cantera Parkway, Suite 202  
San Antonio, Texas 78256

**COUNTY:** Hon. Jeff R. Branick, County Judge  
 Jefferson County Texas  
 P.O. Box 4025  
 Beaumont, Texas 77704  
 (409) 835-8466  
 (409) 839-2311 (facsimile)

With a copy to: Ms. Kathleen Kennedy, Chief Civil Attorney  
 Criminal District Attorney  
 1149 Pearl Street, 3<sup>rd</sup> Floor  
 Beaumont, Texas 77701  
 (409) 835-8550  
 (409) 835-8573 (facsimile)

Mr. Fred L. Jackson,  
 First Assistant: Staff Attorney  
 Jefferson County Courthouse  
 P. O. Box 4025,  
 Beaumont, Texas 77704  
 (409) 835-8466  
 (409) 839-2311 (facsimile)

## **18. MERGER**

The Parties agree that this AGREEMENT contains all of the terms and conditions of the understanding of the parties relating to the subject matter hereof. All prior negotiations, discussions, correspondence and preliminary understandings between the parties and others relating hereto are superseded by this AGREEMENT.

## **19. INTERPRETATION**

The Parties acknowledge that both have been represented by counsel of their choosing in the negotiation and preparation of the AGREEMENT. Regardless of which party prepared the initial draft of this AGREEMENT, this AGREEMENT shall, in the event of any dispute over its meaning or application, be interpreted without reference to the principle of construction favoring the party who did not draft the AGREEMENT under construction.

## **20. APPLICABLE LAW AND VENUE**

This AGREEMENT is made, and shall be construed and interpreted under the laws of the State of Texas and venue shall lie in Jefferson County, Texas.

## **21. SEVERABILITY**

In the event any provision of this AGREEMENT is illegal, invalid, or unenforceable under present or future laws, then, and in that event, it is the intention of the Parties hereto that the remainder of this AGREEMENT shall not be affected thereby, and it is also the intention of the Parties to this

AGREEMENT that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable, a provision be added to this AGREEMENT which is legal, valid, and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

Executed in duplicate this the \_\_\_\_\_ day of January, 2021.

**FOR THE COUNTY:**

---

Hon. Jeff R. Branick, County Judge  
Jefferson County, Texas

**FOR OWNER:**

---

Frank Quintana, Vice President of Tax  
GT Logistics, LLC

**“Tax Abatement Schedule”**

<b>Tax Year</b>		<b>Abatement Percentage</b>
0	2021	0%
0	2022	0%
0	2023	0%
1	2024	80%
2	2025	80%
3	2026	80%
4	2027	80%
5	2028	80%
6	2029	80%
7	2030	80%



### **EXHIBIT A “Description of Project”**

The proposed project is a facility to CONSTRUCT a new renewable fuels processing facility which will supply feedstock to the Diamond Green Diesel and Emerald Green Diesel renewable diesel plants as well as other potential renewable fuels projects. The proposed project would be located adjacent to existing GT Logistics operations in Port Arthur. The proposed project will also have the capability to receive finished products from the renewable diesel/fuels plants via pipeline and ship those products via rail or barge/vessel.

### **EXHIBIT B “Base Year Property”**

This base year taxable value as certified will be attached, by consent of the parties, when same is calculated and adopted by the Jefferson Central Appraisal District.

**EXHIBIT C – “Reinvestment Zone Order”**

**EXHIBIT D – “List of HUB/ DBE Companies”**

**Exhibit “E”**

**Jefferson County Abatement Policy**

**It is understood and agreed that all abatement agreements granted herein shall conform to this abatement policy and to the Texas Tax Code.**

**EXHIBIT "F" - AFFILIATES OF OWNER**

Howard Midstream Energy Partners, LLC  
Maverick Terminals GT, LLC  
Maverick Terminals GT I, LLC  
Maverick Terminals GT II, LLC  
Maverick Terminals GT III, LLC  
GT Pipeline, LLC

## Minority Business Directory

**\* Indicates certification as a HUB/DBE has been obtained**

### **Accountants/ Certified Public**

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Ivory Joe Harris  
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Villery's  
 Refrigeration & Air Conditioning Service  
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### **Barbecue/ Caterers**

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Eugene Sam  
 Tillmans Barbecue Pit  
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 Tel: 409-838-5592

Gerard's Barbecue Diner  
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 Tel: 409-842-9135

Jack Patillo Barbecue  
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 Beaumont, TX 77705  
 Tel: 409-833-3154

Leonard Broussard  
 Broussard's Bar-B-Q  
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\*Mouton's Catering  
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Albert Ceaser  
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 2875 Washington Blvd  
 Beaumont, TX 77705  
 Tel: 409-842-3444  
 Fax: 409-842-9770  
 Cell: 409-338-1365  
 Email: [kyles@aol.com](mailto:kyles@aol.com)

### **Restaurants**

Floyd & Carol Dixon  
 Southern Delight Restaurant  
 3195 Washington Blvd.  
 Beaumont, TX 77705  
 Tel: 409-840-5025

Frank Owens, Proprietor  
 Dairy Queen  
 3755 College St.  
 Beaumont, TX 77701  
 Tel: 409-838-4723

Nolan Hines, Jr.  
 Taste of Orleans  
 672 Orleans St.  
 Beaumont, TX 77701  
 Tel: 409-833-9460  
 Cell: 409-553-4632  
 Fax: 409-833-9470

Website: [www.tasteoforleansonline.com](http://www.tasteoforleansonline.com)

### **Roofing**

John & Lawrence  
Norman & Norman Roofing  
Beaumont, TX  
John Tel: 409-454-8586  
Lawrence Tel: 409-838-4266

### **Sanitary Supplies**

Armstead Price, Owner  
MVP Janitorial Inc.  
5430 Concord Road, Suite A  
P.O. Box 22961-2961  
Beaumont, Tx 77720  
Tel: 409-347-4100  
Cell: 409-454-5100

\*S and S – Enterprises  
PO Box 1983  
Beaumont, TX 77704  
Tel: 409-842-0594  
Fax: 409-842-0594  
Pager: 409-726-3624

The Invisible Armor  
Tammy Powell  
P.O. Box 22492  
Beaumont, TX 77720  
Tel: 409-840-9801  
Fax: 409-840-9815  
Email: [www.iarmor.net](http://www.iarmor.net)

### **Trophies**

\*Harold Williams & Sherrie Charles  
AAA Trophy Shop & Etc.  
4570 Highland Ave  
Beaumont, TX 77705  
Tel: 409-651-6050  
Fax: 409-842-6473  
Email: [aaatrophysshop@yahoo.com](mailto:aaatrophysshop@yahoo.com)

### **Trucking/Heavy Hauling**

Alex J. Jeanmard

J&J Trucking  
Tel: 409-833-3026

Erwin Charles  
Charles Trucking  
Tel: 409-835-5805

Delisa Bean  
Dawn Express  
2005 Broadway, Suite 113  
Beaumont, TX 77702  
Tel: 409-212-8222

Frank Patillo  
Frank Patillo Trucking  
Tel: 409-833-0804

Gerald Castille  
G&S Trucking & Mowing  
Tel: 409-832-8347

Chris Gobert  
Gobert Trucking Company  
Tel: 409-838-5079

Jerry P. Bernard  
Bernard's Trucking  
Tel: 409-842-1259

Joseph Charles  
J&P Trucking  
Tel: 409-835-3119

Mrs. Shelia M. Mire  
W&S Mire Trucking

Roland Eaglin  
Roland Eaglin Trucking  
Tel: 409-835-0100

\*Lovetts Trucking  
Kima K. Lovett Sr/Owner  
P.O. Box 12342  
Beaumont, Texas 77726  
Ph: (409) 455-1399  
*Email: [lovettstruckingllc@gmail.com](mailto:lovettstruckingllc@gmail.com)*

**Wrecker Services**

Mr. Chuck Guillory  
Chuck's Wrecker Service  
2945 Blanchette Service  
Beaumont, TX 77701  
Tel: 409-832-8228  
Fax: 409-833-8348

Tommy Guillory  
Guillory's Wrecker Services  
4020 Fannett Rd  
Beaumont, TX 77705  
Tel: 409-842-5106  
Bernard Simon  
Mirror Shine & Shoe Repair  
657 Park  
Beaumont, TX 77701  
Tel: 409-835-5722





# Resolution

STATE OF TEXAS

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§

COMMISSIONERS' COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners Court of Jefferson County, Texas, held on the 26th day of January 2021, on motion made by Vernon Pierce, Commissioner of Precinct No. 1, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**WHEREAS, Eddie Arnold**, Served 34 years in the private sector retiring from ATT/SBC in 2004, and subsequently being elected to Jefferson County Commissioner, Pct. #1 beginning January 2005; and

**WHEREAS, Commissioner Eddie Arnold**, has served in the public sector as Jefferson County Commissioner of Precinct #1 for 16 years, he retired a second time effective December 31, 2020; and

**WHEREAS, Commissioner Eddie Arnold**, distinguished himself as a worthy and able advocate for the citizens of Jefferson County, TX; and

**WHEREAS, Commissioner Eddie Arnold**, during his 16 year tenure as Commissioner of Pct. #1 has contributed to the welfare and prosperity of the residents and taxpayers by being involved with the following accomplishments:

Voting to reduce the 2005 tax rate of .425 per \$100 valuation to the current .365 rate a 14% property **tax reduction**, voted in favor of numerous Tax Abatements that helped bring in over \$30 Billion in new and expanding businesses in Jefferson Co., generating 1000's on new jobs; and

**WHEREAS, Commissioner Eddie Arnold**, via his Road and Bridge Department, has repaired, resurfaced and built over 200 miles of Precinct #1 roads, and built up a cumulative surplus of over \$4 million in the Precinct #1 reserve fund; and

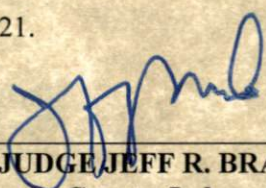
**WHEREAS, Commissioner Eddie Arnold**, initiated and helped negotiated the sale of a vacant County owned public asset for \$2.1 million to a private sector company which, ultimately hired over 400 new jobs to downtown Beaumont; and

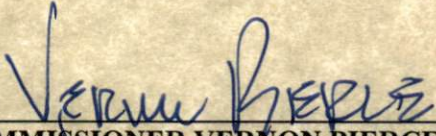
**WHEREAS, Commissioner Eddie Arnold**, while serving as the Court's liaison, overseeing approximately 500K sq. ft. of office space in the downtown Beaumont complex, and with assistance of numerous other County department's coordinated a multiphase, multimillion Historic Courthouse Renovation project without borrowed funds; and

**WHEREAS Commissioner Eddie Arnold**, along with the other Court members, recently voted in favor of selling the Ford Park Complex to a private sector company, which if completed will provide over \$20 million in County debt reduction; and

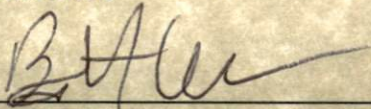
**NOW, THEREFORE, BE IT RESOLVED** that the Commissioners' Court of Jefferson County does hereby honor and commend **Commissioner Eddie Arnold** for his dedicated service as Jefferson County Commissioner Precinct #1 and wishes him well in his retirement and all of his future endeavors.

SIGNED this 26th day of January, 2021.

  
JUDGE JEFF R. BRANICK  
County Judge

  
COMMISSIONER VERNON PIERCE  
Precinct No. 1

  
COMMISSIONER MICHAEL S. SINEGAL  
Precinct No. 3

  
COMMISSIONER BRENT A. WEAVER  
Precinct No. 2

// ABSENT  
COMMISSIONER EVERETTE D. ALFRED  
Precinct No. 4







# Resolution

STATE OF TEXAS

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COMMISSIONERS COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners' Court of Jefferson County, Texas, held on the 26th day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**WHEREAS**, The Commissioners Court of Jefferson County, Texas finds it in the best interest of the citizens of Jefferson County that the Jefferson County Family Treatment Drug Court be operated for the 2021-2022 fiscal year and that grant funds may be available through Criminal Justice Division; and

**WHEREAS** the Commissioners Court of Jefferson County recognizes that this court has been established since June 2005 and will continue to be operational for the 2021-2022 fiscal year.

**WHEREAS**, Commissioners Court of Jefferson County agrees that in the event of loss or misuse of the Criminal Justice Division Funds Commissioners Court of Jefferson County assures that the funds will be returned to the Criminal Justice Division in full; and

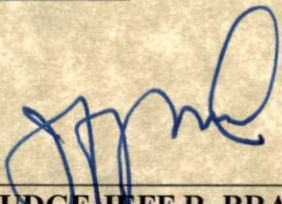
**WHEREAS**, Commissioners Court of Jefferson County designates the County Judge, as the grantee's authorized official and the authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and


**WHEREAS**, this grant will not require matching funds and it is a grant that is sought annually.

**NOW, THEREFORE, BE IT RESOLVED** Commissioners Court of Jefferson County hereby approves submission of the grant application for the Jefferson for the Jefferson County Family Treatment Drug Court to the Office of the Governor, Criminal Justice Division.

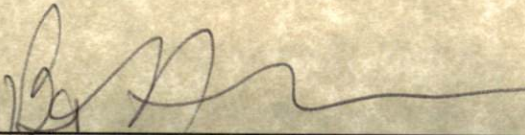
**Grant/ Application Number 1869016**

SIGNED this 26th day of January, 2021.

  
\_\_\_\_\_  
**JUDGE JEFF R. BRANICK**  
County Judge

  
\_\_\_\_\_  
**COMMISSIONER VERNON PIERCE**  
Precinct No. 1

  
\_\_\_\_\_  
**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

  
\_\_\_\_\_  
**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

//ABSENT

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**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4







# Resolution

STATE OF TEXAS

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COMMISSIONERS COURT

COUNTY OF JEFFERSON

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OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners' Court of Jefferson County, Texas, held on the 26th day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**WHEREAS**, The Commissioners Court of Jefferson County, Texas finds it in the best interest of the citizens of Jefferson County that the Jefferson County Drug Intervention (JCDI) Program be operated as an Adult Specialty Drug Court for the 2021-2022 fiscal year and that grant funds may be available through Criminal Justice Division; and

**WHEREAS** the Commissioners Court of Jefferson County recognizes that this program has been established since April 1993 and has provided judicially supervised substance abuse treatment to over 4,000 offenders, and will continue to be operational for the 2021-2022 fiscal year; and,

**WHEREAS**, Commissioners Court of Jefferson County agrees that in the event of loss or misuse of the Criminal Justice Division Funds Commissioners Court of Jefferson County assures that the funds will be returned to the Criminal Justice Division in full; and

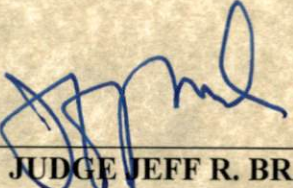
**WHEREAS**, Commissioners Court of Jefferson County designates the County Judge, as the grantee's authorized official and the authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

**WHEREAS**, this grant will not require matching funds and it is a grant that is sought annually.

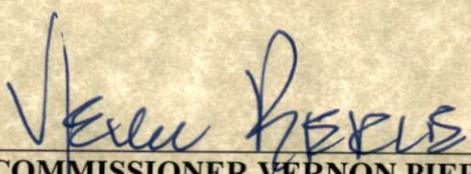
**NOW, THEREFORE, BE IT RESOLVED** Commissioners Court of Jefferson County hereby approves submission of the grant application for the Jefferson County Drug Intervention Court to the Office of the Governor, Criminal Justice Division.

**Grant/ Application Number 1604520**

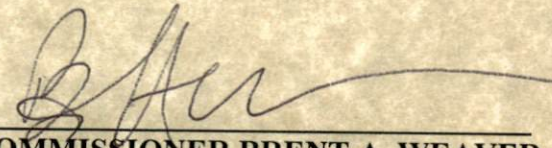
SIGNED this 26th day of January, 2021.

  
 JUDGE JEFF R. BRANICK  
 County Judge



  
 COMMISSIONER VERNON PIERCE  
 Precinct No. 1

  
 COMMISSIONER MICHAEL S. SINEGAL  
 Precinct No. 3

  
 COMMISSIONER BRENT A. WEAVER  
 Precinct No. 2

// ABSENT  
 COMMISSIONER EVERETTE D. ALFRED  
 Precinct No. 4





# Resolution

STATE OF TEXAS

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COMMISSIONERS' COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners' Court of Jefferson County, Texas, held on the 26th day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**BE IT RESOLVED** that Jefferson County certifies that the objectives of the Jefferson County Criminal District Attorney's VAWA Grant application for funding for September 1, 2021 through August 31, 2022 from the Criminal Justice Division of the Governor's Office have been reviewed and that it is mutually agreed to cooperate to whatever extent is necessary in carrying out the work plan described in the application. Jefferson County will provide for any applicable cash match. In the event of loss or misuse of Criminal Justice Division funds, Jefferson County assures that the funds will be returned to the Criminal Justice division in full.

**WHEREAS**, the Commissioners' Court of Jefferson County, Texas has authorized the County Judge, Jeff R. Branick, to apply for, accept, reject, alter, or terminate the grant.

**NOW THEREFORE, BE IT RESOLVED THAT THE COMMISSIONERS' COURT OF JEFFERSON COUNTY, TEXAS** approves submission of the grant application for the Family Violence/Crimes Against Women Unit/Criminal District Attorney to the Office of the Governor, Criminal Justice Division.

**Grant No. 134664**

Signed this 26<sup>th</sup> of January, 2021.

**JUDGE JEFF R. BRANICK**  
County Judge

COMMISSIONER VERNON PIERCE  
Precinct No. 1

COMMISSIONER MICHAEL S. SINEGAL  
Precinct No. 3

**COMMISSIONER BRENT A. WEAVER**  
**Precinct No. 2**

//ABSENT

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**COMMISSIONER EVERETTE D. ALFRED**  
**Precinct No. 4**



**AGENDA ITEM****January 26, 2021**

Consider, possibly approve, authorize the County Judge to execute, receive and file Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 relating to Hurricane Harvey Infrastructure-Ditch Cleanup, Crane Bayou Pump Station Generators, Mayhaw Bayou Drainage Study, Taylor's Bayou Channel Improvements and Hurricane Harvey Housing.



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov/esp/ol.hud.gov](http://www.hud.gov/esp/ol.hud.gov)

## Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

### Project Information

**Project Name:** Jefferson County Hurricane Harvey Infrastructure – Ditch Cleanup

**Responsible Entity:** Jefferson County

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:**

**Preparer:** Vivian Ballou, GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Certifying Officer Name and Title:** Jeff Branick, County Judge

**Consultant** (if applicable):

### **Project Location:**

Ditch 107 cleanup area is located at: Latitude:30.0444° N, Longitude: 94.1170° W

Ditch 110-B cleanup area is located behind 2750 S. Eighth Street, Beaumont, TX 77705 – From Terrell Ave extended West to Prairie Ave extended West; Latitude:30.0586° N, Longitude: 94.1236° W

**Description of the Proposed Project** [24 CFR 58.32; 40 CFR 1508.25]:

**This project is aggregated based upon functional aggregation.**

The Ditch 107 Project is a drainage project that will enlarge and concrete line a section of the ditch. The upper end of the project will provide more open access for floodwaters entering the ditch from Sarah Street, Fannett Road, and 11<sup>th</sup> Street. Additionally, the project will include a thorough cleaning of the underground culverts in these streets. All of this effort will improve drainage in the area, as well as increase the efficiency of the 11<sup>th</sup> Street Detention Facility, which flows into this ditch. The section of ditch to be enlarged and concrete lined is approximately 1,250 feet long.



Project Name Project Locality and StateHEROS Number

The Ditch 110-B project is a drainage project that will repair a damaged section of the ditch by replacing the failed concrete walls and bottom with a pre-cast concrete box culvert. The culvert will be larger and will convey more floodwaters than the existing ditch. Additionally, the downstream end of the ditch will be reconstructed to provide better transition in the receiving stream. Fencing will have to be removed and replaced. Approximately 500 feet of the ditch will be repaired and improved.

**The project description activities are for a single environmental review and include:**

- (1) Environmental and other studies, resource identification and the development of plans and
- (2) strategies; Information and financial services;
- (3) Administrative and management archives;
- (4) Engineering or design costs;

**Level of Environmental Review Determination:**

☒ Activity/Project is Exempt per 24 CFR 58.34(a): All Activities Exempt per 24 CFR 58.34.

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):  
\_\_\_\_\_

**Funding Information**

Grant Number	HUD Program	Funding Amount
DR 4332	CDBG-DR Infrastructure	\$5,934,691

**Estimated Total HUD Funded Amount:** 5,934,691.00

**This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$18,213,377.00**

**Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Project Name Project Locality and StateHEROS Number

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones          and Accident Potential Zones</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34


Project Name Project Locality and StateHEROS Number

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure


**Preparer Signature:**



Date: 1/14/21

Name/Title/Organization: Vivian Ballou, Grant Administrator  
GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Responsible Entity Agency Official Signature:**



Date: 1.26.21

Name/Title: Jeff Branick, Jefferson County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov/spanol.hud.gov](http://www.hud.gov/spanol.hud.gov)

## Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

### Project Information

**Project Name:** Jefferson County – Hurricane Harvey Infrastructure – Crane Bayou Pump Station Generators

**Responsible Entity:** Jefferson County

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:** Texas

**Preparer:** Vivian Ballou, GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Certifying Officer Name and Title:** Jeff Branick, County Judge

**Consultant** (if applicable):

**Project Location:** Proctor Street

Latitude: 29°55'47.00"N, Longitude: 93°52'50.00"W

**Description of the Proposed Project** [24 CFR 58.32; 40 CFR 1508.25]:

The project will provide the DD7 Crane Bayou Pump Station with new generators and generator housing. The generators will allow the pump station to continue to operate in the event of power outages during pumping operations, especially during major storm events. The proposed project will consist of providing a new concrete building designed to handle hurricane force winds, two (2) 80k W diesel generators, automatic transfer switch/switchgear, vaulted external tanks and belly tanks, SCADAS system modifications, and piping/electrical wiring.

**This project will include a single environmental review. The following activities are exempt for this project.**

- (1) Environmental and other studies, resource identification and the development of plans and



Project Name Project Locality and StateHEROS Number

- (2) strategies; Information and financial services;
- (3) Administrative and management archives;
- (4) Engineering or design costs;

**Level of Environmental Review Determination:**

☒ Activity/Project is Exempt per 24 CFR 58.34(a): All Activities Exempt per 24 CFR 58.34.

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):  
\_\_\_\_\_

**Funding Information**

Grant Number	HUD Program	Funding Amount
DR 4332	CDBG-DR Infrastructure	\$5,934,691

**Estimated Total HUD Funded Amount:** 5,934,691.00

**This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:** \$18,213,377.00

**Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>  24 CFR Part 51 Subpart D	Yes   No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Coastal Barrier Resources</b>		

Project Name   Project Locality and State   HEROS Number

Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes   No	All Activities Exempt per 24 CFR 58.34
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes   No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34

Project Name Project Locality and StateHEROS Number

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

**Preparer Signature:**

*Vivian Ballou*

Date: 1/14/21

Name/Title/Organization: Vivian Ballou, Grant Administrator  
GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Responsible Entity Agency Official Signature:**

*Jeff Branick*

Date: 1/26/2021

Name/Title: Jeff Branick, Jefferson County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov/espanol.hud.gov](http://www.hud.gov/espanol.hud.gov)

**Environmental Review  
for Activity/Project that is Exempt or  
Categorically Excluded Not Subject to Section 58.5  
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)**

**Project Information**

**Project Name:** Jefferson County – Hurricane Harvey Infrastructure – Mayhaw Bayou Drainage Study

**Responsible Entity:** Jefferson County

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:** Texas

**Preparer:** Vivian Ballou, GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Certifying Officer Name and Title:** Jeff Branick, County Judge

**Consultant** (if applicable):

**Project Location:** Jefferson County - downstream effects of the construction of the culvert crossings located at IH-10 and Ditch M400 and Ditch M400A (both are laterals of Mayhaw Bayou).

**Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:**

The purpose of this drainage study is to assist the Jefferson County Drainage District No. 3 ("DD3") in conducting a thorough study of downstream effects of the construction of the culvert crossings located at IH-10 and Ditch M400 and Ditch M400A (both are laterals of Mayhaw Bayou). The study will also update the relevant portions of the Master Drainage Study completed in 1999 for DD3. The update will be in the form of redeveloping the H&H models for the study area to the downstream limit of Highway 73 to reflect the current development levels and to use the new rainfall amounts as presented in ATLAS 14.

**This project will be represented as an exempt project. The following activities are exempt for this project.**



Project Name Project Locality and StateHEROS Number

- (1) Environmental and other studies, resource identification and the development of plans and
- (2) strategies; Information and financial services;
- (3) Administrative and management archives;
- (4) Engineering or design costs;

**Level of Environmental Review Determination:**

☒ Activity/Project is Exempt per 24 CFR 58.34(a): \_\_All Activities Exempt per 24 CFR 58.34.

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

**Funding Information**

Grant Number	HUD Program	Funding Amount
DR 4332	CDBG-DR Infrastructure	\$5,934,691

**Estimated Total HUD Funded Amount:** 5,934,691.00

**This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:** \$18,213,377.00

**Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34

Project Name Project Locality and StateHEROS Number

24 CFR Part 51 Subpart D		
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34

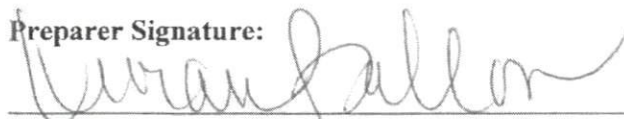
**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Project Name Project Locality and StateHEROS Number

**Preparer Signature:**

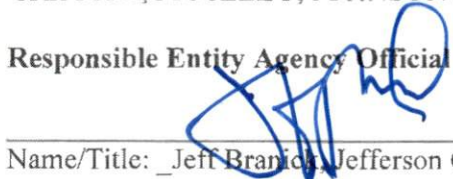


Date:

1/14/21

Name/Title/Organization: Vivian Ballou, Grant Administrator  
GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Responsible Entity Agency Official Signature:**



Date:

1/26/2021

Name/Title: Jeff Brannon, Jefferson County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov/spanol.hud.gov](http://www.hud.gov/spanol.hud.gov)

## Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

### Project Information

**Project Name:** Jefferson County – Hurricane Harvey Infrastructure – Taylor’s Bayou Channel Improvements

**Responsible Entity:** Jefferson County

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:** Texas

**Preparer:** Vivian Ballou, GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Certifying Officer Name and Title:** Jeff Branick, County Judge

**Consultant** (if applicable):

**Project Location:** This project is a drainage improvement project located in an unincorporated area of Jefferson County, Texas; eight miles southwest of Beaumont.

Latitude: 29°54'1.53"N, Longitude: 94°16'9.73"W

**Description of the Proposed Project** [24 CFR 58.32; 40 CFR 1508.25]:

The project will involve increasing the width of Taylor's Bayou for 500 feet. The widening will extend from 250 feet upstream from Hwy-124 to 250 feet downstream from Hwy-124. The Bayou width currently averages 100 feet through this stretch and will be increased to 220 feet wide. The widening will be accomplished by excavating material from the northeast side of the bayou and hauling it away to an upland fill site. An average of 70 feet of additional flat bottom will be excavated at elevation -7.0, and a 4H:1V side slope will be excavated up to ground level. The bayou will not be made deeper, only wider. In order to accommodate the bayou widening and to accomplish more efficient flood flow, the H\_wy-124 Bridge will be replaced with a 5-span, 260-ft long bridge. The existing bridge is a 7-span, 140-ft long bridge.

**This project will include a single environmental review. The following activities are exempt for this project.**



Project Name Project Locality and StateHEROS Number

- (1) Environmental and other studies, resource identification and the development of plans and
- (2) strategies; Information and financial services;
- (3) Administrative and management archives;
- (4) Engineering or design costs;

**Level of Environmental Review Determination:**

☒ Activity/Project is Exempt per 24 CFR 58.34(a):   All Activities Exempt per 24 CFR 58.34.  

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):  
\_\_\_\_\_

**Funding Information**

Grant Number	HUD Program	Funding Amount
DR 4332	CDBG-DR Infrastructure	\$5,934,691

**Estimated Total HUD Funded Amount:** 5,934,691.00

**This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$18,213,377.00**

**Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34

Project Name Project Locality and StateHEROS Number

24 CFR Part 51 Subpart D		
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34

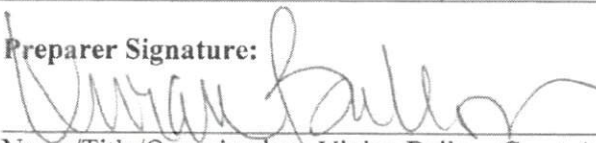
Project Name Project Locality and StateHEROS Number

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

**Preparer Signature:**

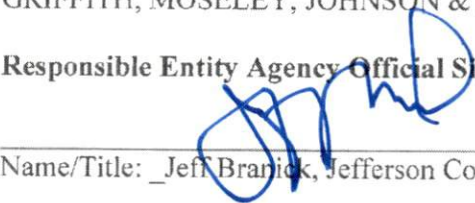


Date:

1/14/21

Name/Title/Organization: Vivian Ballou, Grant Administrator  
GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Responsible Entity Agency Official Signature:**



Date:

1/26/2021

Name/Title: Jeff Branick, Jefferson County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov/spanol.hud.gov](http://www.hud.gov/spanol.hud.gov)

## Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 Pursuant to 24 CFR Part 58.34(a) and 58.35(b)

### Project Information

**Project Name:** Jefferson County - Hurricane Harvey Housing

**Responsible Entity:** Jefferson County

**Grant Recipient** (if different than Responsible Entity):

**State/Local Identifier:** Texas

**Preparer:** Vivian Ballou, GRIFFITH, MOSELEY, JOHNSON & ASSOC

**Certifying Officer Name and Title:** Jeff Branick, County Judge

**Consultant** (if applicable):

**Project Location:** Port Arthur TX

**Description of the Proposed Project** [24 CFR 58.32; 40 CFR 1508.25]:

In accordance with 24 CFR Part 58.34(a), the following project activities are focused on the Jefferson County Hurricane Harvey Housing tiered project and include:

The project activities included in this review include the following:

- (1) Environmental and other studies, resource identification and the development of plans and strategies;
- (2) Information and financial services;
- (3) Administrative and management activities;
- (8) Engineering or design costs;

**Level of Environmental Review Determination:**



Project Name Project Locality and StateHEROS Number

☒ Activity/Project is Exempt per 24 CFR 58.34(a): \_\_All Activities Exempt per 24 CFR 58.34.

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

### **Funding Information**

Grant Number	HUD Program	Funding Amount
DR 4332	CDBG-DR Housing	\$2,651,308.80

**Estimated Total HUD Funded Amount:** \$2,651,308.80

**This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable):**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:** \$2,651,308.80

### **Compliance with 24 CFR §50.4 and §58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6</b>		
<b>Airport Runway Clear Zones and Accident Potential Zones</b>  24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	All Activities Exempt per 24 CFR 58.34
<b>Flood Insurance</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Project Name Project Locality and StateHEROS Number

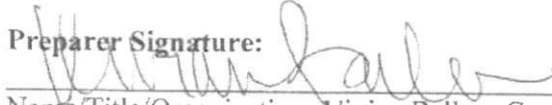
Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		All Activities Exempt per 24 CFR 58.34
---	--	--

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Preparer Signature:

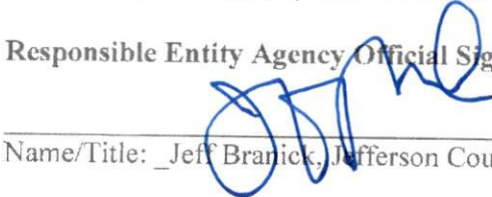


Date:

1/14/21

Name/Title/Organization: Vivian Ballou, Grant Administrator  
GRIFFITH, MOSELEY, JOHNSON & ASSOC

Responsible Entity Agency Official Signature:



Date:

1/26/2021

Name/Title: Jeff Branick, Jefferson County Judge

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

ALLISON NATHAN GETZ  
TAX ASSESSOR-COLLECTOR

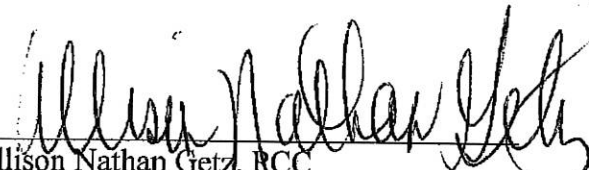


TERRY WUENSCHEL  
CHIEF DEPUTY

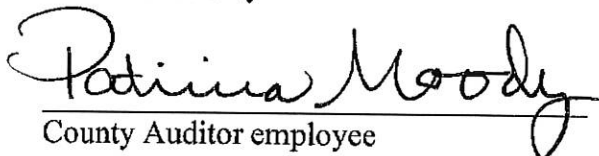
### Tax Refund Determination

Taxpayer name: COVIUS MORTGAGE SOLUTIONS  
Address: 12410 E. Mirabeau Pkwy, Suite 100, Spokane Valley, WA 99216  
Account Number: 026400-000/002500-00000  
Amount of Refund: \$4,535.16

Upon review, by the Tax Office and Auditor's department, both agreed for placement of an agenda item on the Commissioners' Court agenda for approval as required by Tax Code Section 31.11.

  
Allison Nathan Getz, RCC  
Tax Assessor-Collector  
Jefferson County

01/15/21  
Date

  
County Auditor employee

1/15/21  
Date

Tax Refund Determination – 8/5/19

JEFFERSON COUNTY COURTHOUSE • P.O. BOX 2112 • BEAUMONT, TEXAS 77704-2112  
PHONE: (409) 835-8516 • FAX: (409) 835-8589

01/14/2021 15:21:03  
TN536

SELECTION SEQUENCE 3669572  
HELD OVERPAYMENT REFUNDS  
REFUNDS REPORTED FOR INSPECTION ONLY

TAX COLLECTION SYSTEM  
REFUNDS SELECTED REPORT  
FROM: 01/04/2021 TO: 01/08/2021

PAGE: 1

MINIMUM DOLLAR AMOUNT: \$2500

ACCOUNT NUMBER  
UNP TOT YEAR UNIT OWNER NAME  
026400-000/002500-00000  
2020 8001 TORRES JUAN MANUEL  
CHECK PAYEE: COVIUS MORTGAGE SOLUTIONS  
12410 E. MIRABEAU PKWY, STE 100  
SPOKANE VALLEY WA99216

SUIT DEPOSIT  
REC TYPE RECEIPT DATE  
M0107202114A 20210107  
TL 1 01/07/2021  
LT 26 BLK 1 HANNAH EST

REMITTANCE# STAT AMOUNT  
45796328 AA 4,535.16  
CHECK TOTAL: 4,535.16  
REFUND REASON(S)

FIDO # : 27802136

TOTAL AMOUNT DUE FOR ACCOUNT .00

TOTAL ALL ACCOUNTS

COUNT OF REFUND CHECKS

4,535.16

1



# DUPLICATE TAX RECEIPT

145



ALLISON NATHAN GETZ, P.C.C.  
JEFFERSON COUNTY TAX ASSESSOR - COLLECTOR  
P.O. BOX 2112, BEAUMONT, TX 77704  
EMAIL: PROPERTY@CO.JEFFERSON.TX.US  
(409) 835-8516, WEBSITE: WWW.JEFFCOTAX.COM

**Certified Owner:**

**TORRES JUAN MANUEL**  
**1149 BARBARA LN**  
**PORT ARTHUR, TX 77640** ✓

**Legal Description:**

LT 26 BLK 1 HANNAH EST

Parcel Address: 1149 BARBARA LN  
Legal Acres: 0.1794

Deposit No: M0107202114A  
Validation No: 900000059536884  
Account No: **026400-000/002500-00000** ✓  
Operator Code: DONNAS

Remit Seq No: 45796328  
Receipt Date: 12/31/2020 ✓  
Deposit Date: 01/07/2021  
Print Date: 01/14/2021

Year	Tax Unit Name	Tax Value	Tax Rate Per/100	Levy Paid	P&I	Coll Fee Paid	Total
2020	Jefferson County	63,216	0.364977	230.72	0.00	0.00	230.72
2020	Port Arthur Isd	63,216	1.586400	1,002.86	0.00	0.00	1,002.86
2020	City Of Port Arthur	63,216	0.792000	500.67	0.00	0.00	500.67
2020	Port Of Port Arthur	63,216	0.185464	117.24	0.00	0.00	117.24
2020	Drainage District #7	63,216	0.294990	186.48	0.00	0.00	186.48
2020	Sabine-Neches Nav. Dist.	63,216	0.090426	57.16	0.00	0.00	57.16
				<b>\$2,095.13</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,095.13</b>

✓ **Check Number(s):**  
107101

**PAYMENT TYPE:**

Checks: \$2,095.13

**Exemptions on this property:**

**Total Applied:** \$2,095.13

**Change Paid:** \$0.00

**PAYER:**

✓ **COVIUS MORTGAGE SOLUTIONS**  
**12410 E. MIRABEAU PKWY, STE 100**  
**SPOKANE VALLEY, WA 99216**

# DUPLICATE TAX RECEIPT

146



ALLISON NATHAN GETZ, P.C.C.  
JEFFERSON COUNTY TAX ASSESSOR - COLLECTOR  
P.O. BOX 2112, BEAUMONT, TX 77704  
EMAIL: PROPERTY@CO.JEFFERSON.TX.US  
(409) 835-8516, WEBSITE: WWW.JEFFCOTAX.COM

Overpayment  
31.11

**Certified Owner:**

TORRES JUAN MANUEL  
1149 BARBARA LN  
PORT ARTHUR, TX 77640 ✓

**Legal Description:**

LT 26 BLK 1 HANNAH EST

Parcel Address: 1149 BARBARA LN  
Legal Acres: 0.1794

Deposit No: M0107202114A  
Validation No: 900000059536884  
Account No: **026400-000/002500-00000** ✓  
Operator Code: DONNAS

Remit Seq No: 45796328

Receipt Date: 12/31/2020 ✓

Deposit Date: 01/07/2021

Print Date: 01/14/2021

**Year Tax Unit Name**

Year	Tax Unit Name	Tax Value	Tax Rate Per/100	Levy Paid	P&I	Coll Fee Paid	Total
→ 2020	Overpay	0	0.000000	0.00	0.00	0.00	4,535.16
				\$0.00	\$0.00	\$0.00	\$4,535.16

✓ Check Number(s):  
107101

**PAYMENT TYPE:**

Checks: \$4,535.16

**Exemptions on this property:**

Total Applied: \$4,535.16

Change Paid: \$0.00

**ACCOUNT PAID IN FULL**

**PAYER:**

✓ COVIUS MORTGAGE SOLUTIONS  
12410 E. MIRABEAU PKWY, STE 100  
SPOKANE VALLEY, WA 99216


**CHRONOS™ IT'S TIME.**  
 SOLUTIONS

 12410 E Mirabeau Parkway, Suite 100  
 Spokane Valley, WA 99216

 Phone: (509) 327-9634  
 Fax: (509) 327-2900

**Statement of Tax Account Payment**

12/29/2020 4:31:41 PM

**JEFFERSON COUNTY**

 PO BOX 2112  
 Beaumont, TX 77704-2112

Attn To: Allison Nathan

1st Pay Period

County ID: 320

 To ensure our payments reconcile with what we have obtained  
 from your office, please apply payments as shown below.

 If you have any questions please call Chronos Mortgage  
 Solutions at 509-327-9634 or email [helpdesk@upfservices.com](mailto:helpdesk@upfservices.com)

Parcel #	Borrower's Name	Address	Contract #	Year	Amount Due
Stmnt Inc?	Cnty Bill #				
A 02640000000250000000	JUAN TORRES	1149 BARBARA LN, PORT-ARTHUR, TX, 77640	973368		
No R				2019	\$6,630.29
					\$6,630.29
02780000000100000000	JAMES HOLDER	3108 Lawrence Ave, Nederland, TX, 77627	980916		
No R				2019	\$4,945.02
					\$4,945.02
03100000000280000000	CHRISTOPHE ADAMS	2735 Hughann St, Port Neches, TX, 77651	1027030		
No R				2019	\$6,070.49
					\$6,070.49
03407500000150000000	VELERIE COCKRELL	5095 Curtis Ct, Beaumont, TX, 77708	982986		
No R				2019	\$3,950.13
					\$3,950.13
044310000001090000000	ELIUS THOMAS	6500 Boyt Rd, Beaumont, TX, 77713	1172880		
No R				2020	\$2,470.28
					\$2,470.28
04565000000920000000	EARL DUHON	204 North 15th St, NEDERLAND, TX, 77627	985682		
No R				2019	\$2,072.98
					\$2,072.98
053300000008210000000	TODD WASHINGTON	2983 61st St, Port Arthur, TX, 77640	1000979		
No R				2019	\$2,777.26
					\$2,777.26
7 Records					\$28,916.45

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

**COVIUS MORTGAGE SOLUTIONS**

✓ 12410 E. MIRABEAU PKWY., SUITE 100  
SPOKANE VALLEY, WA 99216  
(509) 327-9634

026400 / 002500  
ETC 1

Washington Trust Bank   
1-800-768-4678

28-8/1251

107101

REF

12/29/2020

PAY TO THE  
ORDER OF

Jefferson County Tax Assessor-Collector

✓ \$ \*\*28,916.45

Twenty-Eight Thousand Nine Hundred Sixteen and 45/100 \*\*\*\*\*

DOLLARS

Jefferson County Tax Assessor-Collector  
PO BOX 2112  
Beaumont, TX 77704-2112

MEMO

ID 7217-Parcel: for Control~



  
AUTHORIZED SIGNATURE

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK - TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT

Details on back  
Security Features Included

MP





Joleen E. Fregia  
Chief Deputy  
E-Mail  
[joleen@co.jefferson.tx.us](mailto:joleen@co.jefferson.tx.us)

Charlie Hallmark  
County Treasurer  
1149 Pearl Street – Basement  
Beaumont, Texas 77701

Office (409) 835-8509  
Fax (409) 839-2347  
E-Mail  
[challmark@co.jefferson.tx.us](mailto:challmark@co.jefferson.tx.us)

January 20, 2021

Judge Jeff R. Branick and  
Commissioners Court  
Jefferson County Courthouse  
Beaumont, Texas 77701

Gentlemen:

Enclosed is the Investment Schedule as of December 31st, 2020, including interest earnings.

The weighted average yield to maturity on the County's investments is 1.75%. The 90 day Treasury discount rate on December 31st, 2020 was 0.09% and the interest on your checking accounts for the month of December was 0.16%

Included in the attached report are the balances for the County's pledged collateral.

This report meets the requirements for investment officers in compliance with the Texas Government Code. Title 10, Section 2256.023.

This should be on the agenda for January 26th, 2021, to be received and filed.

Sincerely,

Charlie Hallmark CIO  
Enclosure

Agenda should read:

Receive and File Investment Schedule for December, 2020,  
including the year to date total earnings on County funds.


JEFFERSON COUNTY  
MONTH END DECEMBER 31, 2020 INVESTMENT SCHEDULE

SECURITY DESCRIPTION	SETTLEMENT DATE	PAR AMOUNT	AMOUNT PAID	PRICE PAID	EXP. YIELD	MATURITY DATE	CALL DATE	# Days to mat.	# Days Invested	CUSIP/C.D. NUMBER	BROKER DEALER	CURRENT VALUE	Current Price	ACCRUED FROM PURCHASE COUPON	Coupon paid TO DATE	BOOK VALUE (ACCRUED INT.)
INVESTMENTS																
TEXAS CLASS		\$0.00	\$0.00	100	0.000%		NONE			TX-01-0485-4001	TEXAS CLASS	\$0.00			\$166,224.40	\$0.00
Cds and Securities																
FAMAC 1.75%	06-Jan-20	\$2,000,000.00	\$2,000,000.00	100	1.750%	06-Jan-23	06-Jan-21	736	1096	31422BRJ1	WELLS SECURITIES	\$2,000,192.74	\$100.0096	\$17,013.89	\$17,500.00	\$2,017,206.63
* (Investment CD's)																
		TOTAL PAR	AMT. INVESTED		WEIGHTED AVG. YLD				WEIGHTED AVG.	MATURITY		TOTAL MARKET VALUE				TOTAL BOOK VALUE
INVESTMENT ACCTS		\$0.00	\$0.00									\$0.00		0.00		
Cds and Securities		\$2,000,000.00	\$2,000,000.00	1.750%				736	DAYS			\$2,000,192.74		17,013.89	\$17,500.00	\$166,224.40
TOTALS ALL ACCTS:		\$2,000,000.00	\$2,000,000.00									\$2,000,192.74		17,013.89	\$183,724.40	\$2,017,206.63

PLEDGE COLLATERAL REPORT WELLS FARGO

ALL COUNTY FUNDS  
AS OF DECEMBER 31, 2020

This in an unaudited statement made in accordance with provisions of Government Code Title 10 Section 2256.023 The Public Funds Investment Act  
The investment portfolios of Jefferson County comply with the strategies in the Jefferson County Investment Policy and Procedures.

  
Charlie Hallmark, Jefferson County Investment Officer

MARKET VALUE OF PLEDGE SECURITIES  
\$141,763,590.06

BALANCE IN ALL ACCOUNTS:  
\$91,431,040.72

OVER OR (UNDER) AMOUNT:  
\$50,332,549.34

155.05%

DECEMBER 2020, JEFFERSON COUNTY INVESTMENT MATURITIES												
MATURED SECURITIES AND INTEREST EARNED												
SECURITY DESCRIPTION	PURCHASE DATE	PAR AMOUNT	AMOUNT INVESTED	PRICE PAID	EXPECT. YIELD	MATURITY DATE	Coupon Pay DATE	# DAYS INVEST.	CUSIP/C.D. NUMBER	BROKER DEALER	INTEREST EARNINGS	
INVESTMENTS												
TEXAS CLASS	01-Dec-20	\$2,000,000.00	\$2,000,000.00		0.880%		31-Dec-20	31	TX-01-0485-4001	TEXAS CLASS	\$143.66	
	</											



## FISCAL YEAR 2020-2021

### YIELD TO MATURITY AND INTEREST EARNINGS

MONTH	90 DAY T. BILL YIELD	INVESTMENT INTEREST EARNED	CHECKING ACCOUNT YIELD	TEXAS CLASS INTEREST	TEXAS CLASS YIELD
OCTOBER	0.100%	\$41,201.10	0.160%	\$4,788.40	0.129%
NOVEMBER	0.080%	\$10,622.45	0.160%	\$196.36	0.120%
DECEMBER	0.090%	\$12,634.41	0.160%	\$143.66	0.088%
JANUARY					
FEBRUARY					
MARCH					
APRIL					
MAY					
JUNE					
JULY					
AUGUST					
SEPTEMBER					
<b>ANNUAL TOTALS</b>		<b>\$64,457.96</b>		<b>\$5,128.42</b>	<b>\$69,586.38</b>



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January 20th, 2021

Judge Jeff R. Branick  
County Commissioners  
Jefferson County  
Beaumont, TX 77701

Dear Judge and Commissioners:

The Public Funds Investment Act requires an annual review of the County Investment Policy. Please review, consider, receive, and possibly approve the 2021 Jefferson County Investment Policy and Procedures. The only changes were adding Commissioner Vernon Pierce to the policy and adding Allegiance Bank as one of our Broker/Dealers.

Sincerely,

A handwritten signature in blue ink that reads "Charlie Hallmark". The signature is fluid and cursive, with the first and last names being clearly legible.

Charlie Hallmark, CIO  
Treasurer  
Enclosure

FOR COMMISSIONERS COURT AGENDA JANUARY 26TH, 2021  
Agenda should read:

Review, consider, possibly approve, receive, and file the 2021 Jefferson County Investment Policy and Procedures





2021

*Jefferson County*

Investment Policy  
and  
Procedures

**Jeff R. Branick**

County Judge

**Vernon Pierce**  
Commissioner, Pct. 1

**Brent A. Weaver**  
Commissioner, Pct. 2

**Michael Sinegal**  
Commissioner, Pct. 3

**Everette“Bo” Alfred**  
Commissioner, Pct. 4

**Charlie Hallmark**  
County Treasurer/Investment Officer

# JEFFERSON COUNTY INVESTMENT POLICY AND PROCEDURES

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#### **ATTACHMENTS, EXHIBITS, AND APPENDICES**

<b>Appendix A:</b>	<b>Govt. Code Title 10: Chapter 2256</b>
	<b>The Public Funds Investment Act</b>
<b>Appendix B:</b>	<b>Govt. Code Title 10: Chapter 2257</b>
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<b>Exhibit #1:</b>	<b>Broker/Dealer Certification</b>
<b>Exhibit #2:</b>	<b>Approved List of Broker/Dealers</b>
<b>Exhibit #3:</b>	<b>Approving Order: Jefferson County Commissioners Court</b>

## **1.0 INVESTMENT STRATEGY**

### **1.01 Jefferson County Pooled Cash Funds:**

**Funds included are:** Road and Bridge  
Debt Service  
Jury  
General  
Library  
Mosquito Control  
Airport  
Engineering  
Parks and Recreation  
Special Revenue  
Capital Projects  
Internal Service

**1.0101** The funds of Jefferson County, that are invested, are invested by matching the maturity of investments with liabilities. Investments are made with the intention of holding to maturity, but with the ability to liquidate should funds be needed at any time. This strategy is achieved by utilizing highly liquid short term Certificates of Deposit, Treasury Bills and Obligations of the United States or its agencies and instrumentalities with a stated final maturity of three years or less.

### **1.02 Other funds of Jefferson County:**

**Funds included are:** Tax Office  
Community Supervision  
State Fee Officers  
Child Support  
Other account with surplus funds

**1.0201** Other funds of Jefferson County, that are invested, are invested by matching maturity of investments with cash needs. Investments are made with the intention of holding to maturity, but with the ability to liquidate should funds be needed at any time. This strategy is achieved by utilizing highly liquid, short term, Treasury Bills and Obligations of the United States or its agencies and instrumentalities with a stated final maturity of three years or less.



## **2.0 INVESTMENT SCOPE**

### **2.01 Legal Authority to Invest**

**TEXAS GOVERNMENT CODE ANN., sec. 2256.003 et seq. (Vernon 1995) authorizes the Commissioners Court to invest county funds.**

### **2.02 County Investment Portfolio Structure**

**This investment policy applies to all financial assets of all funds of the County of Jefferson, Texas, at the present time and any funds to be created in the future and other funds held in custody by the County Treasurer, unless expressly prohibited by law or unless it is in contravention of any depository contract between Jefferson County and any depository bank.**

### **2.03 Applicability of Policy**

**This policy governs the investment of all financial assets of all funds of Jefferson County, and are managed in compliance with this policy and all applicable state and federal laws.**

## **3.0 INVESTMENT OBJECTIVES AND PRIORITIES**

### **3.01 General Statement**

**This policy serves to satisfy the statutory requirements of the TEXAS GOVERNMENT CODE, ANN., Title 10, Section 2256, Public Funds Investment Act, to define and adopt a formal investment policy.**

### **3.02 Safety of Principal**

**The primary objective of Jefferson County is to ensure the safety of principal in all funds and to avoid speculative investing.**

### **3.03 Maintenance of Adequate Liquidity**

**The secondary objective of Jefferson County is to strive to maintain adequate liquidity, through scheduled maturity of investments, to cover the cash needs of the county consistent with the objectives of this policy.**

### **3.04 Desired Diversification**

It will be the policy of Jefferson County to diversify its portfolio to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of investment. Investments of the County shall always be selected that provide for stability of income and reasonable liquidity.

**3.05 Rate of Return on Investments**

It will be the objective of Jefferson County to earn the maximum rate of return allowed on its investments within the policies imposed by its safety and liquidity objectives and state and federal law governing investment of public funds.

**3.06 Maturity**

Portfolio maturities will be structured to achieve the highest return of interest consistent with liquidity requirements of the County's cash needs. No investment shall have a legal stated maturity of more than thirty six (36) months.

**3.07 Quality and Capability of Investment Manager**

It is the County's policy to provide periodic training in investments for the County Treasurer through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of the County Treasurer in making investment decisions, in compliance with Sec. 2256.008 of the Public Funds Investment Act.

**4.0 INVESTMENT RESPONSIBILITY AND CONTROL**

**4.01 Delegation of Investment Authority**

In accordance with Sec. 2256.005 of the Public Funds Investment Act, the County Commissioners Court, may invest County funds that are not immediately required to pay obligations of the County. The County Treasurer, hereby appointed as Investment Officer, shall develop and maintain written administrative procedures for the operation of the investment program, consistent with this investment policy.

**4.02 Investment Advisory Committee**

The Investment Advisory Committee reviews investment policies and procedures, investment strategies, and investment performance. Members of the Committee should be composed of the County Judge or his designee, County Auditor, County Treasurer, the Head of the Civil Division of the District Attorney's Office and an appointee representing the Commissioners Court. The Chairman will be elected by the Committee, and meetings will be called no less than annually and as needed.

**4.03 Fiduciary, Prudence, and Ethical Standards**

Jefferson County adopts the prudent fiduciary rule as applied in the then prevailing circumstances, when managing the County's portfolio, within the applicable legal and policy constraints. The prudent person rule is restated as follows:

"Investments must be made with the judgement and care, under prevailing circumstances, which persons of prudence, discretion and intelligence would exercise in the management of their own affairs for investment, not for speculation, considering the probable safety of their capital as well as the probable income to be derived."

#### **4.04 Liability of Investment Officer**

In accordance with Sec. 113.005, Texas Local Government Code, the County Treasurer is not responsible for any loss of the county funds through the failure or negligence of a depository. This section does not release the Treasurer from responsibility for a loss resulting from the official misconduct or negligence of the Treasurer, including a misappropriation of the funds, or from responsibility for funds until a depository is selected and the funds are deposited.

#### **4.05 Accounting and Audit Control**

The Jefferson County Treasurer will establish liaison with the Jefferson County Auditor in preparing investment forms to assist the County Auditor for accounting and auditing control.

#### **4.06 Subject to Audit**

The Jefferson County Treasurer is subject to audit by the Jefferson County Auditor. In addition, it is the policy of the Jefferson County Commissioner's Court, at a minimum, to have an annual audit of all County funds by an independent auditing firm. The Jefferson County Treasurer and the county's investment procedures shall be subject to the annual and any special audits as required.

### **5.0 INVESTMENT REPORTING**

#### **5.01 Monthly Reporting**

In accordance with Texas Government Code, Title 10, Sec. 2256.023, the Jefferson County Treasurer will report in writing monthly to Commissioners' Court and to the County Auditor. The report shall include a detailed listing of all purchases, sales and payments, and description of each security held.

#### **5.02 Quarterly Reporting**

In accordance with Texas Government Code, Title 10, Sec. 2256.023, the Jefferson

County Treasurer will report quarterly the portfolio statistics, listing the type and description of investment in detail, the broker/dealer used for purchase, the yield to maturity, the stated maturity date, and the previous and current market value.

## **6.0 INVESTMENT INSTITUTIONS**

### **6.01 Depository Bank**

Fully collateralized Time Deposits, Certificates of Deposit, and interest-bearing checking accounts shall be placed at the County Depository Bank under a depository contract executed by Jefferson County Commissioners' Court and in compliance with V.C.T.A., Texas Local Government Code, Chapter 116 and Chapter 117.

### **6.02 Broker/Dealers**

The Jefferson County Treasurer shall invest county funds through the Federal Reserve Bank book entry system, consistent with federal and state law and the current Bank Depository contract. Purchases shall be made with:

- 6.0201 U.S. Government Securities Dealers maintaining a National Association of Securities Dealers Series 7 license, and with knowledge of Institutional Investing, recommended by the County Treasurer, the Jefferson County Investment Advisory Committee, and approved by Commissioners Court. Dealers must comply with Section 6.03 of this Investment Policy to be selected.
- 6.0202 The Capital Markets Division of the Depository Bank.
- 6.0203 Investment Pools meeting the standards of Section 2256.016 of the Texas Public Funds Investment Act.

### **6.03 Approval of Broker/Dealer**

The Jefferson County Treasurer reviews the applications of the broker/dealer/financial institutions for compliance with this policy and recommends institution must demonstrate possession of the following criteria:

- 6.0301 Institutional investment experience,
- 6.0302 Good references from public fund investment officers.
- 6.0303 Adequate capitalization per the Capital Adequacy Guidelines for Government Securities Dealers published by the New York Federal Reserve Bank.
- 6.0304 An understanding of this Investment Policies and Procedures Manual,
- 6.0305 Regulation by the Securities and Exchange Commission (SEC),
- 6.0306 Membership in good standing in the National Association of Securities Dealers, Inc., and
- 6.0307 Valid licensure from the State of Texas.



## **7.0 INVESTMENT INSTRUMENTS**

The Jefferson County Treasurer shall use any or all of the following authorized investment instruments consistent with governing law and this policy:

### **7.01 Bank Investments**

- 7.0101 Fully collateralized Time Deposits.**
- 7.0102 Fully collateralized Certificates of Deposit.**
- 7.0103 Fully collateralized interest-bearing checking accounts.**
- 7.0104 Fully collateralized sweep accounts**

### **7.02 Direct Investments**

- 7.0201 United States Treasury Securities.**
- 7.0202 Obligations of the United States or its agencies and instrumentalities, with a legal stated maturity of no more than thirty six (36) months.**
- 7.0203 Excluded in the direct investments are derivative securities including but not limited to Collateralized Mortgage Obligations.**
- 7.0204 Investment Pools meeting the standards of Section 2256.016 of the Texas Public Funds Investment Act.**

## **8.0 INVESTMENT PROCEDURES**

### **8.01 Confirmation of Trade**

A confirmation of trade will be provided by the broker/dealer to the Jefferson County Treasurer for every purchase of an investment security. This trade ticket and confirmation will become a part of the file that is maintained on every investment security.

### **Delivery Versus Payment**

It will be the policy of the County that all Treasury, and Government Agency securities shall be purchased using the delivery vs. Payment (DVP) method through the Federal Reserve System. By so doing, County funds are not released until the county has received, through the Federal Reserve wire, the securities purchased.

### **Safekeeping Institutions**

All purchased securities shall be held in safekeeping by the County, or a County account in a third party financial institution, or with a Federal Reserve Bank.

## **9.0 COLLATERAL AND SAFEKEEPING**

### **9.01 Collateral or Insurance**

The Jefferson County Treasurer shall insure that all county funds are fully collateralized or insured consistent with federal and state law and the current Depository Contract in one or more of the following manners:

9.0101 FDIC insurance coverage

9.0102 United States Government Bonds, Notes, and Bills

9.0103 Securities of federally-sponsored U. S. Agencies and instrumentalities of the United States Government.

9.0104 Letters of Credit issued by the Federal Home Loan Bank of Dallas.

### **9.02 Safekeeping**

Securities pledged as collateral shall be deposited in trust with the Federal Reserve Bank, or another disinterested third party bank, under an appropriate legal contract. The amount of such securities pledged shall be determined by their market value.

### **9.03 Collateral Reporting**

The Treasurer of Jefferson County shall report to the County Commissioners' Court valuation of all collateral compared to all county deposits on a monthly basis. Collateral deficiencies should be identified and immediately corrected through additional collateral deposited or reductions in the volume of deposited funds.

## **10.0 INVESTMENT POLICY REVIEW AND AMENDMENT**

### **Review Procedures**

The Jefferson County Commissioners' Court shall review its investment policy and investment strategies not less than annually.

### **Changes to the Investment Policy**

The County Treasurer and the Investment Advisory Committee, must review the Jefferson County Investment Policy not less than annually and recommend any changes to the Commissioners' Court.

**EXHIBIT 1**

**Certification**

**CERTIFICATION**

I hereby certify that I have personally read and understand the investment policy and procedures of Jefferson County, and have implemented reasonable procedures and controls designed to fulfill those objectives and conditions. Transactions between this firm and Jefferson County, will be directed towards precluding imprudent investment activities and protecting the Counties from credit risk.

All the sales personnel of this firm dealing with Jefferson County's accounts have been informed and will be routinely informed of the County's investment horizons, limitations, strategy, and risk constraints, whenever we are so informed.

This firm pledges due diligence in informing the County of foreseeable risks associated with financial transactions connected to this firm.

\_\_\_\_\_  
(Firm)

\_\_\_\_\_  
(Firm Representative)

\_\_\_\_\_  
(Representative's Title)

\_\_\_\_\_  
(Registration or Dealer Number)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)



**EXHIBIT 2**

**APPROVED LIST OF BROKER/DEALERS**

**Approved List of Broker/Dealers**

**National Alliance Securities  
2245 Texas Drive  
Suite 300  
Sugar Land, TX 77479**

**Wells Fargo Bank  
6250 Delaware Street  
Beaumont, Texas 77706**

**Wells Fargo Capital Markets  
1445 Ross Ave., Suite 420  
Dallas, Texas 75202**

**Allegiance Bank  
55 IH 10 North  
Beaumont, Texas 77707**

**Vining Sparks IBG, LP  
6351 Preston Road, Suite 235  
Dallas, Texas 75205**

**Texas Class  
2435 N. Central Expressway, Suite 1200  
Richardson, TX 75080**

**EXHIBIT 3**

## **APPROVING ORDER**

### ORDER APPROVING JEFFERSON COUNTY INVESTMENT POLICY AND PROCEDURES

Upon a motion of Commissioner \_\_\_\_\_, seconded  
by Commissioner \_\_\_\_\_, unanimously adopted the  
following policies and procedures, and the same are hereby

approved, received and ordered filed.

ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Jeff R. Branick  
County Judge

\_\_\_\_\_  
Commissioner Vernon Pierce  
Precinct No. 1

\_\_\_\_\_  
Commissioner Michael Sinegal  
Precinct No. 3

\_\_\_\_\_  
Commissioner Brent A. Weaver  
Precinct No. 2

\_\_\_\_\_  
Commissioner Everette D. Alfred  
Precinct No. 4

ATTEST:

\_\_\_\_\_  
Carolyn L. Guidry  
Jefferson County Clerk



## **APPENDIX A**

### **Chapter 2256-Public Funds Investment Act**

## **APPENDIX B**

### **Chapter 2257-Public Funds Collateral Act**

## GOVERNMENT CODE

## TITLE 10. GENERAL GOVERNMENT

## SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT

## CHAPTER 2256. PUBLIC FUNDS INVESTMENT

## SUBCHAPTER A. AUTHORIZED INVESTMENTS FOR GOVERNMENTAL ENTITIES

Sec. 2256.001. SHORT TITLE. This chapter may be cited as the Public Funds Investment Act.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.002. DEFINITIONS. In this chapter:

(1) "Bond proceeds" means the proceeds from the sale of bonds, notes, and other obligations issued by an entity, and reserves and funds maintained by an entity for debt service purposes.

(2) "Book value" means the original acquisition cost of an investment plus or minus the accrued amortization or accretion.

(3) "Funds" means public funds in the custody of a state agency or local government that:

(A) are not required by law to be deposited in the state treasury; and

(B) the investing entity has authority to invest.

(4) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(5) "Investing entity" and "entity" mean an entity subject to this chapter and described by Section 2256.003.

(6) "Investment pool" means an entity created under this code to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are:

(A) preservation and safety of principal;

(B) liquidity; and

(C) yield.

(7) "Local government" means a municipality, a county, a school district, a district or authority created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution, a fresh water supply district, a hospital district, and any political subdivision, authority, public corporation, body politic, or instrumentality of the

State of Texas, and any nonprofit corporation acting on behalf of any of those entities.

(8) "Market value" means the current face or par value of an investment multiplied by the net selling price of the security as quoted by a recognized market pricing source quoted on the valuation date.

(9) "Pooled fund group" means an internally created fund of an investing entity in which one or more institutional accounts of the investing entity are invested.

(10) "Qualified representative" means a person who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

(A) for a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the National Association of Securities Dealers;

(B) for a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution;

(C) for an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment pool; or

(D) for an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or, if not subject to registration under that Act, registered with the State Securities Board, a person who is an officer or principal of the investment management firm.

(11) "School district" means a public school district.

(12) "Separately invested asset" means an account or fund of a state agency or local government that is not invested in a pooled fund group.

(13) "State agency" means an office, department, commission, board, or other agency that is part of any branch of state government, an institution of higher education, and any nonprofit corporation acting on behalf of any of those entities.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 1, eff. Sept. 1, 1999.

Sec. 2256.003. AUTHORITY TO INVEST FUNDS; ENTITIES SUBJECT TO THIS CHAPTER. (a) Each governing body of the following entities may purchase, sell, and invest its funds and funds under its control in investments authorized under this subchapter in compliance with investment policies approved by the governing body and according to the standard of care prescribed by Section 2256.006:

- (1) a local government;
- (2) a state agency;
- (3) a nonprofit corporation acting on behalf of a local government or a state agency; or
- (4) an investment pool acting on behalf of two or more local governments, state agencies, or a combination of those entities.

(b) In the exercise of its powers under Subsection (a), the governing body of an investing entity may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of its public funds or other funds under its control. A contract made under authority of this subsection may not be for a term longer than two years. A renewal or extension of the contract must be made by the governing body of the investing entity by order, ordinance, or resolution.

(c) This chapter does not prohibit an investing entity or investment officer from using the entity's employees or the services of a contractor of the entity to aid the investment officer in the execution of the officer's duties under this chapter.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1454, Sec. 2, eff. Sept. 1, 1999.

Sec. 2256.004. APPLICABILITY. (a) This subchapter does not apply to:

- (1) a public retirement system as defined by Section 802.001;
- (2) state funds invested as authorized by Section 404.024;
- (3) an institution of higher education having total endowments of at least \$150 million in book value on September 1, 2017;
- (4) funds invested by the Veterans' Land Board as authorized by Chapter 161, 162, or 164, Natural Resources Code;
- (5) registry funds deposited with the county or district clerk under Chapter 117, Local Government Code; or



(6) a deferred compensation plan that qualifies under either Section 401(k) or 457 of the Internal Revenue Code of 1986 (26 U.S.C. Section 1 et seq.), as amended.

(b) This subchapter does not apply to an investment donated to an investing entity for a particular purpose or under terms of use specified by the donor.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 505, Sec. 24, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1421, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 62, Sec. 8.21, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1454, Sec. 3, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 1, eff. June 14, 2017.

Sec. 2256.005. INVESTMENT POLICIES; INVESTMENT STRATEGIES; INVESTMENT OFFICER. (a) The governing body of an investing entity shall adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control.

(b) The investment policies must:

- (1) be written;
- (2) primarily emphasize safety of principal and liquidity;
- (3) address investment diversification, yield, and maturity and the quality and capability of investment management; and
- (4) include:

(A) a list of the types of authorized investments in which the investing entity's funds may be invested;

(B) the maximum allowable stated maturity of any individual investment owned by the entity;

(C) for pooled fund groups, the maximum dollar-weighted average maturity allowed based on the stated maturity date for the portfolio;

(D) methods to monitor the market price of investments acquired with public funds;

(E) a requirement for settlement of all transactions, except investment pool funds and mutual funds, on a delivery versus payment basis; and

(F) procedures to monitor rating changes in investments acquired with public funds and the liquidation of such investments consistent with the provisions of Section 2256.021.

(c) The investment policies may provide that bids for certificates of deposit be solicited:

- (1) orally;
- (2) in writing;
- (3) electronically; or
- (4) in any combination of those methods.

(d) As an integral part of an investment policy, the governing body shall adopt a separate written investment strategy for each of the funds or group of funds under its control. Each investment strategy must describe the investment objectives for the particular fund using the following priorities in order of importance:

- (1) understanding of the suitability of the investment to the financial requirements of the entity;
- (2) preservation and safety of principal;
- (3) liquidity;
- (4) marketability of the investment if the need arises to liquidate the investment before maturity;
- (5) diversification of the investment portfolio; and
- (6) yield.

(e) The governing body of an investing entity shall review its investment policy and investment strategies not less than annually. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

(f) Each investing entity shall designate, by rule, order, ordinance, or resolution, as appropriate, one or more officers or employees of the state agency, local government, or investment pool as investment officer to be responsible for the investment of its funds consistent with the investment policy adopted by the entity. If the governing body of an investing entity has contracted with another investing entity to invest its funds, the investment officer of the other investing entity is considered to be the investment officer of the first investing entity for purposes of this chapter. Authority granted to a person to invest an entity's funds is effective until rescinded by the investing entity, until the expiration of the officer's term or the termination of the person's employment by the

investing entity, or if an investment management firm, until the expiration of the contract with the investing entity. In the administration of the duties of an investment officer, the person designated as investment officer shall exercise the judgment and care, under prevailing circumstances, that a prudent person would exercise in the management of the person's own affairs, but the governing body of the investing entity retains ultimate responsibility as fiduciaries of the assets of the entity. Unless authorized by law, a person may not deposit, withdraw, transfer, or manage in any other manner the funds of the investing entity.

(g) Subsection (f) does not apply to a state agency, local government, or investment pool for which an officer of the entity is assigned by law the function of investing its funds.

Text of subsec. (h) as amended by Acts 1997, 75th Leg., ch. 685, Sec. 1

(h) An officer or employee of a commission created under Chapter 391, Local Government Code, is ineligible to be an investment officer for the commission under Subsection (f) if the officer or employee is an investment officer designated under Subsection (f) for another local government.

Text of subsec. (h) as amended by Acts 1997, 75th Leg., ch. 1421, Sec. 3

(h) An officer or employee of a commission created under Chapter 391, Local Government Code, is ineligible to be designated as an investment officer under Subsection (f) for any investing entity other than for that commission.

(i) An investment officer of an entity who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the investment officer's entity shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity. For purposes of this subsection, an investment officer has a personal business relationship with a business organization if:

(1) the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the

fair market value of the business organization;

(2) funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or

(3) the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

(j) The governing body of an investing entity may specify in its investment policy that any investment authorized by this chapter is not suitable.

(k) A written copy of the investment policy shall be presented to any business organization offering to engage in an investment transaction with an investing entity. For purposes of this subsection and Subsection (l), "business organization" means an investment pool or investment management firm under contract with an investing entity to invest or manage the entity's investment portfolio that has accepted authority granted by the entity under the contract to exercise investment discretion in regard to the investing entity's funds. Nothing in this subsection relieves the investing entity of the responsibility for monitoring the investments made by the investing entity to determine that they are in compliance with the investment policy. The qualified representative of the business organization offering to engage in an investment transaction with an investing entity shall execute a written instrument in a form acceptable to the investing entity and the business organization substantially to the effect that the business organization has:

(1) received and reviewed the investment policy of the entity; and

(2) acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the entity and the organization that are not authorized by the entity's investment policy, except to the extent that this authorization:

(A) is dependent on an analysis of the makeup of the entity's entire portfolio;

(B) requires an interpretation of subjective investment standards; or

(C) relates to investment transactions of the entity that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

(l) The investment officer of an entity may not acquire or otherwise obtain any authorized investment described in the investment policy of the investing entity from a business organization that has not delivered to the entity the instrument required by Subsection (k).

(m) An investing entity other than a state agency, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the entity's established investment policies.

(n) Except as provided by Subsection (o), at least once every two years a state agency shall arrange for a compliance audit of management controls on investments and adherence to the agency's established investment policies. The compliance audit shall be performed by the agency's internal auditor or by a private auditor employed in the manner provided by Section 321.020. Not later than January 1 of each even-numbered year a state agency shall report the results of the most recent audit performed under this subsection to the state auditor. Subject to a risk assessment and to the legislative audit committee's approval of including a review by the state auditor in the audit plan under Section 321.013, the state auditor may review information provided under this section. If review by the state auditor is approved by the legislative audit committee, the state auditor may, based on its review, require a state agency to also report to the state auditor other information the state auditor determines necessary to assess compliance with laws and policies applicable to state agency investments. A report under this subsection shall be prepared in a manner the state auditor prescribes.

(o) The audit requirements of Subsection (n) do not apply to assets of a state agency that are invested by the comptroller under Section 404.024.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 685, Sec. 1, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1421, Sec. 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 4, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 785, Sec. 41, eff. Sept. 1, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 1, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 149 (H.B. 1701), Sec. 1, eff. September 1, 2017.



Sec. 2256.006. STANDARD OF CARE. (a) Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment of funds shall be governed by the following investment objectives, in order of priority:

- (1) preservation and safety of principal;
- (2) liquidity; and
- (3) yield.

(b) In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- (1) the investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
- (2) whether the investment decision was consistent with the written investment policy of the entity.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.007. INVESTMENT TRAINING; STATE AGENCY BOARD MEMBERS AND OFFICERS. (a) Each member of the governing board of a state agency and its investment officer shall attend at least one training session relating to the person's responsibilities under this chapter within six months after taking office or assuming duties.

(b) The Texas Higher Education Coordinating Board shall provide the training under this section.

(c) Training under this section must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with this chapter.

(d) An investment officer shall attend a training session not less than once each state fiscal biennium and may receive training from any independent source approved by the governing body of the state agency. The investment officer shall prepare a report on this subchapter and deliver the report to the governing body of the state agency not later than the 180th day after the last day of each regular session of the legislature.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 73, Sec. 1, eff. May 9, 1997; Acts 1997, 75th Leg.,

ch. 1421, Sec. 4, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 5, eff. Sept. 1, 1999.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 2, eff. June 17, 2011.

Sec. 2256.008. INVESTMENT TRAINING; LOCAL GOVERNMENTS.

(a) Except as provided by Subsections (a-1), (b), (b-1), (e), and (f), the treasurer, the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a local government shall:

(1) attend at least one training session from an independent source approved by the governing body of the local government or a designated investment committee advising the investment officer as provided for in the investment policy of the local government and containing at least 10 hours of instruction relating to the treasurer's or officer's responsibilities under this subchapter within 12 months after taking office or assuming duties; and

(2) attend an investment training session not less than once in a two-year period that begins on the first day of that local government's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than 10 hours of instruction relating to investment responsibilities under this subchapter from an independent source approved by the governing body of the local government or a designated investment committee advising the investment officer as provided for in the investment policy of the local government.

(a-1) Except as provided by Subsection (g), the treasurer, or the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a school district or a municipality, in addition to the requirements of Subsection (a)(1), shall attend an investment training session not less than once in a two-year period that begins on the first day of the school district's or municipality's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than eight hours of instruction relating to investment responsibilities under this subchapter from an independent source approved by the governing body of the school district or municipality, or by a designated investment committee advising the investment officer as provided for in the investment policy of the school district or municipality.

(b) An investing entity created under authority of Section 52(b), Article III, or Section 59, Article XVI, Texas Constitution, that has

contracted with an investment management firm under Section 2256.003(b) and has fewer than five full-time employees or an investing entity that has contracted with another investing entity to invest the entity's funds may satisfy the training requirement provided by Subsection (a)(2) by having an officer of the governing body attend four hours of appropriate instruction in a two-year period that begins on the first day of that local government's fiscal year and consists of the two consecutive fiscal years after that date. The treasurer or chief financial officer of an investing entity created under authority of Section 52(b), Article III, or Section 59, Article XVI, Texas Constitution, and that has fewer than five full-time employees is not required to attend training required by this section unless the person is also the investment officer of the entity.

(b-1) A housing authority created under Chapter 392, Local Government Code, may satisfy the training requirement provided by Subsection (a)(2) by requiring the following person to attend, in each two-year period that begins on the first day of that housing authority's fiscal year and consists of the two consecutive fiscal years after that date, at least five hours of appropriate instruction:

(1) the treasurer, or the chief financial officer if the treasurer is not the chief financial officer, or the investment officer; or

(2) if the authority does not have an officer described by Subdivision (1), another officer of the authority.

(c) Training under this section must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with this chapter.

(d) Not later than December 31 each year, each individual, association, business, organization, governmental entity, or other person that provides training under this section shall report to the comptroller a list of the governmental entities for which the person provided required training under this section during that calendar year. An individual's reporting requirements under this subsection are satisfied by a report of the individual's employer or the sponsoring or organizing entity of a training program or seminar.

(e) This section does not apply to a district governed by Chapter 36 or 49, Water Code.

(f) Subsection (a)(2) does not apply to an officer of a municipality or housing authority if the municipality or housing authority:

(1) does not invest municipal or housing authority funds, as applicable; or

(2) only deposits those funds in:

- (A) interest-bearing deposit accounts; or
- (B) certificates of deposit as authorized by Section

2256.010.

(g) Subsection (a-1) does not apply to the treasurer, chief financial officer, or investment officer of a school district if:

(1) the district:

(A) does not invest district funds; or

(B) only deposits those funds in:

(i) interest-bearing deposit accounts; or

(ii) certificates of deposit as authorized by Section

2256.010; and

(2) the treasurer, chief financial officer, or investment officer annually submits to the agency a sworn affidavit identifying the applicable criteria under Subdivision (1) that apply to the district.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 5, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 6, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 69, Sec. 4, eff. May 14, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 3, eff. June 17, 2011.

Acts 2015, 84th Leg., R.S., Ch. 222 (H.B. 1148), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1248 (H.B. 870), Sec. 1, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. 1488), Sec. 8.015, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 1000 (H.B. 1238), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 1000 (H.B. 1238), Sec. 2, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 477 (H.B. 293), Sec. 1, eff. June 7, 2019.

Sec. 2256.009. AUTHORIZED INVESTMENTS: OBLIGATIONS OF, OR GUARANTEED BY GOVERNMENTAL ENTITIES. (a) Except as provided by Subsection (b), the following are authorized investments under this subchapter:

(1) obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home

Loan Banks;

(2) direct obligations of this state or its agencies and instrumentalities;

(3) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

(4) other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;

(5) obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;

(6) bonds issued, assumed, or guaranteed by the State of Israel;

(7) interest-bearing banking deposits that are guaranteed or insured by:

(A) the Federal Deposit Insurance Corporation or its successor; or

(B) the National Credit Union Share Insurance Fund or its successor; and

(8) interest-bearing banking deposits other than those described by Subdivision (7) if:

(A) the funds invested in the banking deposits are invested through:

(i) a broker with a main office or branch office in this state that the investing entity selects from a list the governing body or designated investment committee of the entity adopts as required by Section 2256.025; or

(ii) a depository institution with a main office or branch office in this state that the investing entity selects;

(B) the broker or depository institution selected as described by Paragraph (A) arranges for the deposit of the funds in the banking deposits in one or more federally insured depository institutions, regardless of where located, for the investing entity's account;

(C) the full amount of the principal and accrued interest of the banking deposits is insured by the United States or an instrumentality



of the United States; and

(D) the investing entity appoints as the entity's custodian of the banking deposits issued for the entity's account:

(i) the depository institution selected as described by Paragraph (A);

(ii) an entity described by Section 2257.041(d); or

(iii) a clearing broker dealer registered with the Securities and Exchange Commission and operating under Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3).

(b) The following are not authorized investments under this section:

(1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;

(2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;

(3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and

(4) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1454, Sec. 7, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 558, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 4, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 2, eff. June 14, 2017.

Acts 2017, 85th Leg., R.S., Ch. 863 (H.B. 2647), Sec. 1, eff. June 15, 2017.

Acts 2017, 85th Leg., R.S., Ch. 874 (H.B. 2928), Sec. 1, eff. September 1, 2017.

Sec. 2256.010. AUTHORIZED INVESTMENTS: CERTIFICATES OF DEPOSIT AND SHARE CERTIFICATES. (a) A certificate of deposit or share certificate is an authorized investment under this subchapter if the certificate is issued by a depository institution that has its main office or a branch office in this state and is:

(1) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;

(2) secured by obligations that are described by Section 2256.009(a), including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the nature described by Section 2256.009(b); or

(3) secured in accordance with Chapter 2257 or in any other manner and amount provided by law for deposits of the investing entity.

(b) In addition to the authority to invest funds in certificates of deposit under Subsection (a), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment under this subchapter:

(1) the funds are invested by an investing entity through:

(A) a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025; or

(B) a depository institution that has its main office or a branch office in this state and that is selected by the investing entity;

(2) the broker or the depository institution selected by the investing entity under Subdivision (1) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the investing entity;

(3) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and

(4) the investing entity appoints the depository institution selected by the investing entity under Subdivision (1), an entity described by Section 2257.041(d), or a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.

Amended by Acts 1995, 74th Leg., ch. 32, Sec. 1, eff. April 28, 1995; Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 6, eff. Sept. 1, 1997.

Amended by:

Acts 2005, 79th Leg., Ch. 128 (H.B. 256), Sec. 1, eff. September 1, 2005.

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 5, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 874 (H.B. 2928), Sec. 2, eff. September 1, 2017.

Sec. 2256.011. AUTHORIZED INVESTMENTS: REPURCHASE AGREEMENTS. (a) A fully collateralized repurchase agreement is an authorized investment under this subchapter if the repurchase agreement:

- (1) has a defined termination date;
- (2) is secured by a combination of cash and obligations described by Section 2256.009(a)(1) or 2256.013 or, if applicable, Section 2256.0204;
- (3) requires the securities being purchased by the entity or cash held by the entity to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity; and
- (4) is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state.

(b) In this section, "repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligations described by Section 2256.009(a)(1) or 2256.013 or, if applicable, Section 2256.0204, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement.

(c) Notwithstanding any other law, the term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered.

(d) Money received by an entity under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

(e) Section 1371.059(c) applies to the execution of a repurchase agreement by an investing entity.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 6, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 3, eff. June 14, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1133 (H.B. 2706), Sec. 1, eff. September 1, 2019.

Sec. 2256.0115. AUTHORIZED INVESTMENTS: SECURITIES LENDING PROGRAM.

(a) A securities lending program is an authorized investment under this subchapter if it meets the conditions provided by this section.

(b) To qualify as an authorized investment under this subchapter:

(1) the value of securities loaned under the program must be not less than 100 percent collateralized, including accrued income;

(2) a loan made under the program must allow for termination at any time;

(3) a loan made under the program must be secured by:

(A) pledged securities described by Section 2256.009;

(B) pledged irrevocable letters of credit issued by a bank that is:

(i) organized and existing under the laws of the United States or any other state; and

(ii) continuously rated by at least one nationally recognized investment rating firm at not less than A or its equivalent; or

(C) cash invested in accordance with Section:

(i) 2256.009;

(ii) 2256.013;

(iii) 2256.014; or

(iv) 2256.016;

(4) the terms of a loan made under the program must require that the securities being held as collateral be:

(A) pledged to the investing entity;

(B) held in the investing entity's name; and

(C) deposited at the time the investment is made with the entity or with a third party selected by or approved by the investing entity;

(5) a loan made under the program must be placed through:

(A) a primary government securities dealer, as defined by 5 C.F.R. Section 6801.102(f), as that regulation existed on September 1, 2003; or

(B) a financial institution doing business in this state;  
and

(6) an agreement to lend securities that is executed under this section must have a term of one year or less.

Added by Acts 2003, 78th Leg., ch. 1227, Sec. 1, eff. Sept. 1, 2003.

Sec. 2256.012. AUTHORIZED INVESTMENTS: BANKER'S ACCEPTANCES. A bankers' acceptance is an authorized investment under this subchapter if the bankers' acceptance:

(1) has a stated maturity of 270 days or fewer from the date of its issuance;

(2) will be, in accordance with its terms, liquidated in full at maturity;

(3) is eligible for collateral for borrowing from a Federal Reserve Bank; and

(4) is accepted by a bank organized and existing under the laws of the United States or any state, if the short-term obligations of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1 or an equivalent rating by at least one nationally recognized credit rating agency.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.013. AUTHORIZED INVESTMENTS: COMMERCIAL PAPER. Commercial paper is an authorized investment under this subchapter if the commercial paper:

(1) has a stated maturity of 365 days or fewer from the date of its issuance; and

(2) is rated not less than A-1 or P-1 or an equivalent rating by at least:

(A) two nationally recognized credit rating agencies; or

(B) one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1133 (H.B. 2706), Sec. 2, eff. September 1, 2019.



## Sec. 2256.014. AUTHORIZED INVESTMENTS: MUTUAL FUNDS.

(a) A no-load money market mutual fund is an authorized investment under this subchapter if the mutual fund:

(1) is registered with and regulated by the Securities and Exchange Commission;

(2) provides the investing entity with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.); and

(3) complies with federal Securities and Exchange Commission Rule 2a-7 (17 C.F.R. Section 270.2a-7), promulgated under the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.).

(b) In addition to a no-load money market mutual fund permitted as an authorized investment in Subsection (a), a no-load mutual fund is an authorized investment under this subchapter if the mutual fund:

(1) is registered with the Securities and Exchange Commission;

(2) has an average weighted maturity of less than two years; and

(3) either:

(A) has a duration of one year or more and is invested exclusively in obligations approved by this subchapter; or

(B) has a duration of less than one year and the investment portfolio is limited to investment grade securities, excluding asset-backed securities.

(c) An entity is not authorized by this section to:

(1) invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in mutual funds described in Subsection (b);

(2) invest any portion of bond proceeds, reserves and funds held for debt service, in mutual funds described in Subsection (b); or

(3) invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund described in Subsection (a) or (b) in an amount that exceeds 10 percent of the total assets of the mutual fund.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 7, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 8, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 4, eff. June 14, 2017.

Sec. 2256.015. AUTHORIZED INVESTMENTS: GUARANTEED INVESTMENT CONTRACTS. (a) A guaranteed investment contract is an authorized investment for bond proceeds under this subchapter if the guaranteed investment contract:

- (1) has a defined termination date;
  - (2) is secured by obligations described by Section 2256.009(a)(1), excluding those obligations described by Section 2256.009(b), in an amount at least equal to the amount of bond proceeds invested under the contract; and
  - (3) is pledged to the entity and deposited with the entity or with a third party selected and approved by the entity.
- (b) Bond proceeds, other than bond proceeds representing reserves and funds maintained for debt service purposes, may not be invested under this subchapter in a guaranteed investment contract with a term of longer than five years from the date of issuance of the bonds.
- (c) To be eligible as an authorized investment:
- (1) the governing body of the entity must specifically authorize guaranteed investment contracts as an eligible investment in the order, ordinance, or resolution authorizing the issuance of bonds;
  - (2) the entity must receive bids from at least three separate providers with no material financial interest in the bonds from which proceeds were received;
  - (3) the entity must purchase the highest yielding guaranteed investment contract for which a qualifying bid is received;
  - (4) the price of the guaranteed investment contract must take into account the reasonably expected drawdown schedule for the bond proceeds to be invested; and
  - (5) the provider must certify the administrative costs reasonably expected to be paid to third parties in connection with the guaranteed investment contract.
- (d) Section 1371.059(c) applies to the execution of a guaranteed investment contract by an investing entity.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 8, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 9, 10, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 5, eff. June 14, 2017.

Sec. 2256.016. AUTHORIZED INVESTMENTS: INVESTMENT POOLS. (a) An entity may invest its funds and funds under its control through an eligible investment pool if the governing body of the entity by rule, order, ordinance, or resolution, as appropriate, authorizes investment in the particular pool. An investment pool shall invest the funds it receives from entities in authorized investments permitted by this subchapter. An investment pool may invest its funds in money market mutual funds to the extent permitted by and consistent with this subchapter and the investment policies and objectives adopted by the investment pool.

(b) To be eligible to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must furnish to the investment officer or other authorized representative of the entity an offering circular or other similar disclosure instrument that contains, at a minimum, the following information:

- (1) the types of investments in which money is allowed to be invested;
- (2) the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool;
- (3) the maximum stated maturity date any investment security within the portfolio has;
- (4) the objectives of the pool;
- (5) the size of the pool;
- (6) the names of the members of the advisory board of the pool and the dates their terms expire;
- (7) the custodian bank that will safekeep the pool's assets;
- (8) whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;
- (9) whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;
- (10) the name and address of the independent auditor of the pool;
- (11) the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool;
- (12) the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios; and
- (13) the pool's policy regarding holding deposits in cash.

(c) To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must furnish to the investment officer or other authorized representative of the entity:

- (1) investment transaction confirmations; and
- (2) a monthly report that contains, at a minimum, the following information:
  - (A) the types and percentage breakdown of securities in which the pool is invested;
  - (B) the current average dollar-weighted maturity, based on the stated maturity date, of the pool;
  - (C) the current percentage of the pool's portfolio in investments that have stated maturities of more than one year;
  - (D) the book value versus the market value of the pool's portfolio, using amortized cost valuation;
  - (E) the size of the pool;
  - (F) the number of participants in the pool;
  - (G) the custodian bank that is safekeeping the assets of the pool;
  - (H) a listing of daily transaction activity of the entity participating in the pool;
  - (I) the yield and expense ratio of the pool, including a statement regarding how yield is calculated;
  - (J) the portfolio managers of the pool; and
  - (K) any changes or addenda to the offering circular.

(d) An entity by contract may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds.

(e) In this section, for purposes of an investment pool for which a \$1.00 net asset value is maintained, "yield" shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the federal Securities and Exchange Commission.

(f) To be eligible to receive funds from and invest funds on behalf of an entity under this chapter:

- (1) a public funds investment pool that uses amortized cost or fair value accounting must mark its portfolio to market daily; and
- (2) if the investment pool uses amortized cost:
  - (A) the investment pool must, to the extent reasonably possible, stabilize at a \$1.00 net asset value, when rounded and expressed

to two decimal places;

(B) the governing body of the investment pool must, if the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, take action as the body determines necessary to eliminate or reduce to the extent reasonably practicable any dilution or unfair result to existing participants, including a sale of portfolio holdings to attempt to maintain the ratio between 0.995 and 1.005; and

(C) the investment pool must, in addition to the requirements of its investment policy and any other forms of reporting, report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds.

(g) To be eligible to receive funds from and invest funds on behalf of an entity under this chapter, a public funds investment pool must have an advisory board composed:

(1) equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created under Chapter 791 and managed by a state agency; or

(2) of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.

(h) To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

(i) If the investment pool operates an Internet website, the information in a disclosure instrument or report described in Subsections (b), (c)(2), and (f) must be posted on the website.

(j) To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must make available to the entity an annual audited financial statement of the investment pool in which the entity has funds invested.

(k) If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 9, eff. Sept. 1, 1997.



Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 7, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 6, eff. June 14, 2017.

Acts 2019, 86th Leg., R.S., Ch. 1133 (H.B. 2706), Sec. 3, eff. September 1, 2019.

Sec. 2256.017. EXISTING INVESTMENTS. Except as provided by Chapter 2270, an entity is not required to liquidate investments that were authorized investments at the time of purchase.

Added by Acts 1995, 74th Leg., ch. 76, Sec. 5.46(a), eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 1421, Sec. 10, eff. Sept. 1, 1997.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 96 (S.B. 253), Sec. 2, eff. May 23, 2017.

Sec. 2256.019. RATING OF CERTAIN INVESTMENT POOLS. A public funds investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 1997, 75th Leg., ch. 1421, Sec. 11, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 8, eff. June 17, 2011.

Sec. 2256.020. AUTHORIZED INVESTMENTS: INSTITUTIONS OF HIGHER EDUCATION. In addition to the authorized investments permitted by this subchapter, an institution of higher education may purchase, sell, and invest its funds and funds under its control in the following:

(1) cash management and fixed income funds sponsored by organizations exempt from federal income taxation under Section 501(f), Internal Revenue Code of 1986 (26 U.S.C. Section 501(f));

(2) negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit rating agency or that is associated with a

holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency; and

(3) corporate bonds, debentures, or similar debt obligations rated by a nationally recognized investment rating firm in one of the two highest long-term rating categories, without regard to gradations within those categories.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.0201. AUTHORIZED INVESTMENTS; MUNICIPAL UTILITY. (a) A municipality that owns a municipal electric utility that is engaged in the distribution and sale of electric energy or natural gas to the public may enter into a hedging contract and related security and insurance agreements in relation to fuel oil, natural gas, coal, nuclear fuel, and electric energy to protect against loss due to price fluctuations. A hedging transaction must comply with the regulations of the Commodity Futures Trading Commission and the Securities and Exchange Commission. If there is a conflict between the municipal charter of the municipality and this chapter, this chapter prevails.

(b) A payment by a municipally owned electric or gas utility under a hedging contract or related agreement in relation to fuel supplies or fuel reserves is a fuel expense, and the utility may credit any amounts it receives under the contract or agreement against fuel expenses.

(c) The governing body of a municipally owned electric or gas utility or the body vested with power to manage and operate the municipally owned electric or gas utility may set policy regarding hedging transactions.

(d) In this section, "hedging" means the buying and selling of fuel oil, natural gas, coal, nuclear fuel, and electric energy futures or options or similar contracts on those commodities and related transportation costs as a protection against loss due to price fluctuation.

Added by Acts 1999, 76th Leg., ch. 405, Sec. 48, eff. Sept. 1, 1999.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 7 (S.B. 495), Sec. 1, eff. April 13, 2007.

Sec. 2256.0202. AUTHORIZED INVESTMENTS: MUNICIPAL FUNDS FROM MANAGEMENT AND DEVELOPMENT OF MINERAL RIGHTS. (a) In addition to other investments authorized under this subchapter, a municipality may invest funds received by the municipality from a lease or contract for the management and development of land owned by the municipality and leased for

oil, gas, or other mineral development in any investment authorized to be made by a trustee under Subtitle B, Title 9, Property Code (Texas Trust Code).

(b) Funds invested by a municipality under this section shall be segregated and accounted for separately from other funds of the municipality.

Added by Acts 2009, 81st Leg., R.S., Ch. 1371 (S.B. 894), Sec. 1, eff. September 1, 2009.

Sec. 2256.0203. AUTHORIZED INVESTMENTS: PORTS AND NAVIGATION DISTRICTS. (a) In this section, "district" means a navigation district organized under Section 52, Article III, or Section 59, Article XVI, Texas Constitution.

(b) In addition to the authorized investments permitted by this subchapter, a port or district may purchase, sell, and invest its funds and funds under its control in negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency.

Added by Acts 2011, 82nd Leg., R.S., Ch. 804 (H.B. 2346), Sec. 1, eff. September 1, 2011.

Sec. 2256.0204. AUTHORIZED INVESTMENTS: INDEPENDENT SCHOOL DISTRICTS. (a) In this section, "corporate bond" means a senior secured debt obligation issued by a domestic business entity and rated not lower than "AA-" or the equivalent by a nationally recognized investment rating firm. The term does not include a debt obligation that:

(1) on conversion, would result in the holder becoming a stockholder or shareholder in the entity, or any affiliate or subsidiary of the entity, that issued the debt obligation; or

(2) is an unsecured debt obligation.

(b) This section applies only to an independent school district that qualifies as an issuer as defined by Section 1371.001.

(c) In addition to authorized investments permitted by this subchapter, an independent school district subject to this section may purchase, sell, and invest its funds and funds under its control in corporate bonds that, at the time of purchase, are rated by a nationally

recognized investment rating firm "AA-" or the equivalent and have a stated final maturity that is not later than the third anniversary of the date the corporate bonds were purchased.

(d) An independent school district subject to this section is not authorized by this section to:

(1) invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds, reserves, and other funds held for the payment of debt service, in corporate bonds; or

(2) invest more than 25 percent of the funds invested in corporate bonds in any one domestic business entity, including subsidiaries and affiliates of the entity.

(e) An independent school district subject to this section may purchase, sell, and invest its funds and funds under its control in corporate bonds if the governing body of the district:

(1) amends its investment policy to authorize corporate bonds as an eligible investment;

(2) adopts procedures to provide for:

(A) monitoring rating changes in corporate bonds acquired with public funds; and

(B) liquidating the investment in corporate bonds; and

(3) identifies the funds eligible to be invested in corporate bonds.

(f) The investment officer of an independent school district, acting on behalf of the district, shall sell corporate bonds in which the district has invested its funds not later than the seventh day after the date a nationally recognized investment rating firm:

(1) issues a release that places the corporate bonds or the domestic business entity that issued the corporate bonds on negative credit watch or the equivalent, if the corporate bonds are rated "AA-" or the equivalent at the time the release is issued; or

(2) changes the rating on the corporate bonds to a rating lower than "AA-" or the equivalent.

(g) Repealed by Acts 2019, 86th Leg., R.S., Ch. 1133 (H.B. 2706), Sec. 5, eff. September 1, 2019.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1347 (S.B. 1543), Sec. 1, eff. June 17, 2011.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1133 (H.B. 2706), Sec. 5, eff. September 1, 2019.

## Sec. 2256.0205. AUTHORIZED INVESTMENTS; DECOMMISSIONING TRUST. (a)

In this section:

(1) "Decommissioning trust" means a trust created to provide the Nuclear Regulatory Commission assurance that funds will be available for decommissioning purposes as required under 10 C.F.R. Part 50 or other similar regulation.

(2) "Funds" includes any money held in a decommissioning trust regardless of whether the money is considered to be public funds under this subchapter.

(b) In addition to other investments authorized under this subchapter, a municipality that owns a municipal electric utility that is engaged in the distribution and sale of electric energy or natural gas to the public may invest funds held in a decommissioning trust in any investment authorized by Subtitle B, Title 9, Property Code.

Added by Acts 2005, 79th Leg., Ch. 121 (S.B. 1464), Sec. 1, eff. September 1, 2005.

## Sec. 2256.0206. AUTHORIZED INVESTMENTS: HEDGING TRANSACTIONS. (a)

In this section:

(1) "Eligible entity" means a political subdivision that has:

(A) a principal amount of at least \$250 million in:

(i) outstanding long-term indebtedness;

(ii) long-term indebtedness proposed to be issued; or

(iii) a combination of outstanding long-term

indebtedness and long-term indebtedness proposed to be issued; and

(B) outstanding long-term indebtedness that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation.

(2) "Eligible project" has the meaning assigned by Section 1371.001.

(3) "Hedging" means acting to protect against economic loss due to price fluctuation of a commodity or related investment by entering into an offsetting position or using a financial agreement or producer price agreement in a correlated security, index, or other commodity.

(b) This section prevails to the extent of any conflict between this section and:



- (1) another law; or
- (2) an eligible entity's municipal charter, if applicable.

(c) The governing body of an eligible entity shall establish the entity's policy regarding hedging transactions.

(d) An eligible entity may enter into hedging transactions, including hedging contracts, and related security, credit, and insurance agreements in connection with commodities used by an eligible entity in the entity's general operations, with the acquisition or construction of a capital project, or with an eligible project. A hedging transaction must comply with the regulations of the federal Commodity Futures Trading Commission and the federal Securities and Exchange Commission.

(e) An eligible entity may pledge as security for and to the payment of a hedging contract or a security, credit, or insurance agreement any general or special revenues or funds the entity is authorized by law to pledge to the payment of any other obligation.

(f) Section 1371.059(c) applies to the execution by an eligible entity of a hedging contract and any related security, credit, or insurance agreement.

(g) An eligible entity may credit any amount the entity receives under a hedging contract against expenses associated with a commodity purchase.

(h) An eligible entity's cost of or payment under a hedging contract or agreement may be considered:

- (1) an operation and maintenance expense of the eligible entity;
- (2) an acquisition expense of the eligible entity;
- (3) a project cost of an eligible project; or
- (4) a construction expense of the eligible entity.

Added by Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 7, eff. June 14, 2017.

Sec. 2256.0207. AUTHORIZED INVESTMENTS: PUBLIC JUNIOR COLLEGE DISTRICT FUNDS FROM MANAGEMENT AND DEVELOPMENT OF MINERAL RIGHTS. (a) In addition to other investments authorized under this subchapter, the governing board of a public junior college district may invest funds received by the district from a lease or contract for the management and development of land owned by the district and leased for oil, gas, or other mineral development in any investment authorized to be made by a trustee under Subtitle B, Title 9, Property Code (Texas Trust Code).

(b) Funds invested by the governing board of a public junior college district under this section shall be segregated and accounted for separately from other funds of the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 344 (H.B. 1472), Sec. 1, eff. September 1, 2017.

Redesignated from Government Code, Section 2256.0206 by Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. 4170), Sec. 21.001(34), eff. September 1, 2019.

Sec. 2256.0208. LOCAL GOVERNMENT INVESTMENT OF BOND PROCEEDS AND PLEDGED REVENUE. (a) In this section, "pledged revenue" means money pledged to the payment of or as security for:

- (1) bonds or other indebtedness issued by a local government;
- (2) obligations under a lease, installment sale, or other agreement of a local government; or
- (3) certificates of participation in a debt or obligation described by Subdivision (1) or (2).

(b) The investment officer of a local government may invest bond proceeds or pledged revenue only to the extent permitted by this chapter, in accordance with:

- (1) statutory provisions governing the debt issuance or the agreement, as applicable; and
- (2) the local government's investment policy regarding the debt issuance or the agreement, as applicable.

Added by Acts 2019, 86th Leg., R.S., Ch. 1133 (H.B. 2706), Sec. 4, eff. September 1, 2019.

Sec. 2256.021. EFFECT OF LOSS OF REQUIRED RATING. An investment that requires a minimum rating under this subchapter does not qualify as an authorized investment during the period the investment does not have the minimum rating. An entity shall take all prudent measures that are consistent with its investment policy to liquidate an investment that does not have the minimum rating.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.022. EXPANSION OF INVESTMENT AUTHORITY. Expansion of investment authority granted by this chapter shall require a risk assessment by the state auditor or performed at the direction of the state

auditor, subject to the legislative audit committee's approval of including the review in the audit plan under Section 321.013.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 2003, 78th Leg., ch. 785, Sec. 42, eff. Sept. 1, 2003.

Sec. 2256.023. INTERNAL MANAGEMENT REPORTS. (a) Not less than quarterly, the investment officer shall prepare and submit to the governing body of the entity a written report of investment transactions for all funds covered by this chapter for the preceding reporting period.

(b) The report must:

(1) describe in detail the investment position of the entity on the date of the report;

(2) be prepared jointly by all investment officers of the entity;

(3) be signed by each investment officer of the entity;

(4) contain a summary statement of each pooled fund group that states the:

(A) beginning market value for the reporting period;

(B) ending market value for the period; and

(C) fully accrued interest for the reporting period;

(5) state the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;

(6) state the maturity date of each separately invested asset that has a maturity date;

(7) state the account or fund or pooled group fund in the state agency or local government for which each individual investment was acquired; and

(8) state the compliance of the investment portfolio of the state agency or local government as it relates to:

(A) the investment strategy expressed in the agency's or local government's investment policy; and

(B) relevant provisions of this chapter.

(c) The report shall be presented not less than quarterly to the governing body and the chief executive officer of the entity within a reasonable time after the end of the period.

(d) If an entity invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports prepared by the investment officers under this section shall be

formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the governing body by that auditor.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 1997, 75th Leg., ch. 1421, Sec. 12, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 9, eff. June 17, 2011.

Sec. 2256.024. SUBCHAPTER CUMULATIVE. (a) The authority granted by this subchapter is in addition to that granted by other law. Except as provided by Subsection (b) and Section 2256.017, this subchapter does not:

(1) prohibit an investment specifically authorized by other law;  
or

(2) authorize an investment specifically prohibited by other law.

(b) Except with respect to those investing entities described in Subsection (c), a security described in Section 2256.009(b) is not an authorized investment for a state agency, a local government, or another investing entity, notwithstanding any other provision of this chapter or other law to the contrary.

(c) Mortgage pass-through certificates and individual mortgage loans that may constitute an investment described in Section 2256.009(b) are authorized investments with respect to the housing bond programs operated by:

(1) the Texas Department of Housing and Community Affairs or a nonprofit corporation created to act on its behalf;

(2) an entity created under Chapter 392, Local Government Code;  
or

(3) an entity created under Chapter 394, Local Government Code.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 96 (S.B. 253), Sec. 3, eff. May 23, 2017.

Sec. 2256.025. SELECTION OF AUTHORIZED BROKERS. The governing body of an entity subject to this subchapter or the designated investment committee of the entity shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the entity.

Added by Acts 1997, 75th Leg., ch. 1421, Sec. 13, eff. Sept. 1, 1997.

Sec. 2256.026. STATUTORY COMPLIANCE. All investments made by entities must comply with this subchapter and all federal, state, and local statutes, rules, or regulations.

Added by Acts 1997, 75th Leg., ch. 1421, Sec. 13, eff. Sept. 1, 1997.

#### SUBCHAPTER B. MISCELLANEOUS PROVISIONS

Sec. 2256.051. ELECTRONIC FUNDS TRANSFER. Any local government may use electronic means to transfer or invest all funds collected or controlled by the local government.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.052. PRIVATE AUDITOR. Notwithstanding any other law, a state agency shall employ a private auditor if authorized by the legislative audit committee either on the committee's initiative or on request of the governing body of the agency.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.053. PAYMENT FOR SECURITIES PURCHASED BY STATE. The comptroller or the disbursing officer of an agency that has the power to invest assets directly may pay for authorized securities purchased from or through a member in good standing of the National Association of Securities Dealers or from or through a national or state bank on receiving an invoice from the seller of the securities showing that the securities have been purchased by the board or agency and that the amount to be paid for the securities is just, due, and unpaid. A purchase of securities may not be made at a price that exceeds the existing market value of the securities.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1423, Sec. 8.67, eff. Sept. 1, 1997.

Sec. 2256.054. DELIVERY OF SECURITIES PURCHASED BY STATE. A security purchased under this chapter may be delivered to the comptroller, a bank, or the board or agency investing its funds. The delivery shall be made



under normal and recognized practices in the securities and banking industries, including the book entry procedure of the Federal Reserve Bank.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1423, Sec. 8.68, eff. Sept. 1, 1997.

Sec. 2256.055. DEPOSIT OF SECURITIES PURCHASED BY STATE. At the direction of the comptroller or the agency, a security purchased under this chapter may be deposited in trust with a bank or federal reserve bank or branch designated by the comptroller, whether in or outside the state. The deposit shall be held in the entity's name as evidenced by a trust receipt of the bank with which the securities are deposited.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1423, Sec. 8.69, eff. Sept. 1, 1997.

## GOVERNMENT CODE

## TITLE 10. GENERAL GOVERNMENT

## SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT

## CHAPTER 2257. COLLATERAL FOR PUBLIC FUNDS

## SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2257.001. SHORT TITLE. This chapter may be cited as the Public Funds Collateral Act.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.002. DEFINITIONS. In this chapter:

(1) "Bank holding company" has the meaning assigned by Section 31.002(a), Finance Code.

(2) "Control" has the meaning assigned by Section 31.002(a), Finance Code.

(3) "Deposit of public funds" means public funds of a public entity that:

(A) the comptroller does not manage under Chapter 404; and

(B) are held as a demand or time deposit by a depository institution expressly authorized by law to accept a public entity's demand or time deposit.

(4) "Eligible security" means:

(A) a surety bond;

(B) an investment security;

(C) an ownership or beneficial interest in an investment security, other than an option contract to purchase or sell an investment security;

(D) a fixed-rate collateralized mortgage obligation that has an expected weighted average life of 10 years or less and does not constitute a high-risk mortgage security;

(E) a floating-rate collateralized mortgage obligation that does not constitute a high-risk mortgage security; or

(F) a letter of credit issued by a federal home loan bank.

(5) "Investment security" means:

(A) an obligation that in the opinion of the attorney general of the United States is a general obligation of the United States and

backed by its full faith and credit;

(B) a general or special obligation issued by a public agency that is payable from taxes, revenues, or a combination of taxes and revenues; or

(C) a security in which a public entity may invest under Subchapter A, Chapter 2256.

(6) "Permitted institution" means:

(A) a Federal Reserve Bank;

(B) a clearing corporation, as defined by Section 8.102, Business & Commerce Code;

(C) a bank eligible to be a custodian under Section 2257.041; or

(D) a state or nationally chartered bank that is controlled by a bank holding company that controls a bank eligible to be a custodian under Section 2257.041.

(7) "Public agency" means a state or a political or governmental entity, agency, instrumentality, or subdivision of a state, including a municipality, an institution of higher education, as defined by Section 61.003, Education Code, a junior college, a district created under Article XVI, Section 59, of the Texas Constitution, and a public hospital.

(8) "Public entity" means a public agency in this state, but does not include an institution of higher education, as defined by Section 61.003, Education Code.

(9) "State agency" means a public entity that:

(A) has authority that is not limited to a geographic portion of the state; and

(B) was created by the constitution or a statute.

(10) "Trust receipt" means evidence of receipt, identification, and recording, including:

(A) a physical controlled trust receipt; or

(B) a written or electronically transmitted advice of transaction.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.48(a), eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 914, Sec. 5, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 254, Sec. 1, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 891, Sec. 3.22(4), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1423, Sec. 8.70, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 62, Sec. 7.63, eff. Sept. 1, 1999.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 783 (H.B. 2103), Sec. 1, eff. June 17, 2011.

Sec. 2257.0025. HIGH-RISK MORTGAGE SECURITY. (a) For purposes of this chapter, a fixed-rate collateralized mortgage obligation is a high-risk mortgage security if the security:

(1) has an average life sensitivity with a weighted average life that:

(A) extends by more than four years, assuming an immediate and sustained parallel shift in the yield curve of plus 300 basis points; or

(B) shortens by more than six years, assuming an immediate and sustained parallel shift in the yield curve of minus 300 basis points; and

(2) is price sensitive; that is, the estimated change in the price of the mortgage derivative product is more than 17 percent, because of an immediate and sustained parallel shift in the yield curve of plus or minus 300 basis points.

(b) For purposes of this chapter, a floating-rate collateralized mortgage obligation is a high-risk mortgage security if the security:

(1) bears an interest rate that is equal to the contractual cap on the instrument; or

(2) is price sensitive; that is, the estimated change in the price of the mortgage derivative product is more than 17 percent, because of an immediate and sustained parallel shift in the yield curve of plus or minus 300 basis points.

Added by Acts 1997, 75th Leg., ch. 254, Sec. 2, eff. Sept. 1, 1997.

Sec. 2257.003. CHAPTER NOT APPLICABLE TO DEFERRED COMPENSATION PLANS. This chapter does not apply to funds that a public entity maintains or administers under a deferred compensation plan, the federal income tax treatment of which is governed by Section 401(k) or 457 of the Internal Revenue Code of 1986 (26 U.S.C. Sections 401(k) and 457).

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.004. CONFLICT WITH OTHER LAW. This chapter prevails over any other law relating to security for a deposit of public funds to the extent of any conflict.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.005. CONTRACT GOVERNS LEGAL ACTION. A legal action brought by or against a public entity that arises out of or in connection with the duties of a depository, custodian, or permitted institution under this chapter must be brought and maintained as provided by the contract with the public entity.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER B. DEPOSITORY; SECURITY FOR DEPOSIT OF PUBLIC FUNDS

Sec. 2257.021. COLLATERAL REQUIRED. A deposit of public funds shall be secured by eligible security to the extent and in the manner required by this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.022. AMOUNT OF COLLATERAL. (a) Except as provided by Subsection (b), the total value of eligible security to secure a deposit of public funds must be in an amount not less than the amount of the deposit of public funds:

- (1) increased by the amount of any accrued interest; and
- (2) reduced to the extent that the United States or an instrumentality of the United States insures the deposit.

(b) The total value of eligible security described by Section 45.201(4)(D), Education Code, to secure a deposit of public funds of a school district must be in an amount not less than 110 percent of the amount of the deposit as determined under Subsection (a). The total market value of the eligible security must be reported at least once each month to the school district.

(c) The value of a surety bond is its face value.

(d) The value of an investment security is its market value.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 2003, 78th Leg., ch. 201, Sec. 46, eff. Sept. 1, 2003.

Sec. 2257.023. COLLATERAL POLICY. (a) In accordance with a written policy approved by the governing body of the public entity, a public entity shall determine if an investment security is eligible to secure deposits of public funds.



(b) The written policy may include:

- (1) the security of the institution that obtains or holds an investment security;
- (2) the substitution or release of an investment security; and
- (3) the method by which an investment security used to secure a deposit of public funds is valued.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.024. CONTRACT FOR SECURING DEPOSIT OF PUBLIC FUNDS. (a) A public entity may contract with a bank that has its main office or a branch office in this state to secure a deposit of public funds.

(b) The contract may contain a term or condition relating to an investment security used as security for a deposit of public funds, including a term or condition relating to the:

- (1) possession of the collateral;
- (2) substitution or release of an investment security;
- (3) ownership of the investment securities of the bank used to secure a deposit of public funds; and
- (4) method by which an investment security used to secure a deposit of public funds is valued.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1999, 76th Leg., ch. 344, Sec. 5.006, eff. Sept. 1, 1999.

Sec. 2257.025. RECORDS OF DEPOSITORY. (a) A public entity's depository shall maintain a separate, accurate, and complete record relating to a pledged investment security, a deposit of public funds, and a transaction related to a pledged investment security.

(b) The comptroller or the public entity may examine and verify at any reasonable time a pledged investment security or a record a depository maintains under this section.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.16, eff. Sept. 1, 1997.

Sec. 2257.026. CHANGE IN AMOUNT OR ACTIVITY OF DEPOSITS OF PUBLIC FUNDS. A public entity shall inform the depository for the public entity's deposit of public funds of a significant change in the amount or activity of those deposits within a reasonable time before the change occurs.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER C. CUSTODIAN; PERMITTED INSTITUTION

Sec. 2257.041. DEPOSIT OF SECURITIES WITH CUSTODIAN. (a) In addition to other authority granted by law, a depository for a public entity other than a state agency may deposit with a custodian a security pledged to secure a deposit of public funds.

(b) At the request of the public entity, a depository for a public entity other than a state agency shall deposit with a custodian a security pledged to secure a deposit of public funds.

(c) A depository for a state agency shall deposit with a custodian a security pledged to secure a deposit of public funds. The custodian and the state agency shall agree in writing on the terms and conditions for securing a deposit of public funds.

(d) A custodian must be approved by the public entity and be:

(1) a state or national bank that:

- (A) is designated by the comptroller as a state depository;
- (B) has its main office or a branch office in this state; and
- (C) has a capital stock and permanent surplus of \$5 million

or more;

(2) the Texas Treasury Safekeeping Trust Company;

(3) a Federal Reserve Bank or a branch of a Federal Reserve Bank;

(4) a federal home loan bank; or

(5) a financial institution authorized to exercise fiduciary powers that is designated by the comptroller as a custodian pursuant to Section 404.031(e).

(e) A custodian holds in trust the securities to secure the deposit of public funds of the public entity in the depository pledging the securities.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 1010, Sec. 1, eff. June 17, 1995;

Acts 1997, 75th Leg., ch. 891, Sec. 3.17, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 344, Sec. 5.007, eff. Sept. 1, 1999.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 3, eff. September 1, 2009.

Sec. 2257.042. DEPOSIT OF SECURITIES WITH PERMITTED INSTITUTION. (a) A custodian may deposit with a permitted institution an investment security

the custodian holds under Section 2257.041.

(b) If a deposit is made under Subsection (a):

(1) the permitted institution shall hold the investment security to secure funds the public entity deposits in the depository that pledges the investment security;

(2) the trust receipt the custodian issues under Section 2257.045 shall show that the custodian has deposited the security in a permitted institution; and

(3) the permitted institution, on receipt of the investment security, shall immediately issue to the custodian an advice of transaction or other document that is evidence that the custodian deposited the security in the permitted institution.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.043. DEPOSITORY AS CUSTODIAN OR PERMITTED INSTITUTION. (a) A public entity other than a state agency may prohibit a depository or an entity of which the depository is a branch from being the custodian of or permitted institution for a security the depository pledges to secure a deposit of public funds.

(b) A depository or an entity of which the depository is a branch may not be the custodian of or permitted institution for a security the depository pledges to secure a deposit of public funds by a state agency.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.044. CUSTODIAN AS BAILEE. (a) A custodian under this chapter or a custodian of a security pledged to an institution of higher education, as defined by Section 61.003, Education Code, whether acting alone or through a permitted institution, is for all purposes the bailee or agent of the public entity or institution depositing the public funds with the depository.

(b) To the extent of any conflict, Subsection (a) prevails over Chapter 8 or 9, Business & Commerce Code.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.045. RECEIPT OF SECURITY BY CUSTODIAN. (a) On receipt of an investment security, a custodian shall immediately identify on its books and records, by book entry or another method, the pledge of the security to the public entity.

(b) For a deposit of public funds under Subchapter F, the custodian shall issue and deliver to the comptroller a trust receipt for the pledged security.

(c) For any other deposit of public funds under this chapter, at the written direction of the appropriate public entity officer, the custodian shall:

(1) issue and deliver to the appropriate public entity officer a trust receipt for the pledged security; or

(2) issue and deliver a trust receipt for the pledged security to the public entity's depository and instruct the depository to deliver the trust receipt to the public entity officer immediately.

(d) The custodian shall issue and deliver the trust receipt as soon as practicable on the same business day on which the investment security is received.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 434 (S.B. 581), Sec. 1, eff. June 14, 2013.

Sec. 2257.046. BOOKS AND RECORDS OF CUSTODIAN; INSPECTION. (a) A public entity's custodian shall maintain a separate, accurate, and complete record relating to each pledged investment security and each transaction relating to a pledged investment security.

(b) The comptroller or the public entity may examine and verify at any reasonable time a pledged investment security or a record a custodian maintains under this section. The public entity or its agent may inspect at any time an investment security evidenced by a trust receipt.

(c) The public entity's custodian shall file a collateral report with the comptroller in the manner and on the dates prescribed by the comptroller.

(d) At the request of the appropriate public entity officer, the public entity's custodian shall provide a current list of all pledged investment securities. The list must include, for each pledged investment security:

(1) the name of the public entity;

(2) the date the security was pledged to secure the public entity's deposit;

(3) the Committee on Uniform Security Identification Procedures (CUSIP) number of the security;

(4) the face value and maturity date of the security; and

(5) the confirmation number on the trust receipt issued by the  
custodian.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.18, eff. Sept. 1, 1997.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 434 (S.B. 581), Sec. 2, eff. June 14,  
2013.

Sec. 2257.047. BOOKS AND RECORDS OF PERMITTED INSTITUTION. (a) A permitted institution may apply book entry procedures when an investment security held by a custodian is deposited under Section 2257.042.

(b) A permitted institution's records must at all times state the name of the custodian that deposits an investment security in the permitted institution.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.048. ATTACHMENT AND PERFECTION OF SECURITY INTEREST. (a) A security interest that arises out of a depository's pledge of a security to secure a deposit of public funds by a public entity or an institution of higher education, as defined by Section 61.003, Education Code, is created, attaches, and is perfected for all purposes under state law from the time that the custodian identifies the pledge of the security on the custodian's books and records and issues the trust receipt.

(b) A security interest in a pledged security remains perfected in the hands of a subsequent custodian or permitted institution.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER D. AUDITS AND EXAMINATIONS; PENALTIES

Sec. 2257.061. AUDITS AND EXAMINATIONS. As part of an audit or regulatory examination of a public entity's depository or custodian, the auditor or examiner shall:

(1) examine and verify pledged investment securities and records maintained under Section 2257.025 or 2257.046; and

(2) report any significant or material noncompliance with this chapter to the comptroller.



Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

Sec. 2257.062. PENALTIES. (a) The comptroller may revoke a depository's designation as a state depository for one year if, after notice and a hearing, the comptroller makes a written finding that the depository, while acting as either a depository or a custodian:

(1) did not maintain reasonable compliance with this chapter;  
and

(2) failed to remedy a violation of this chapter within a reasonable time after receiving written notice of the violation.

(b) The comptroller may permanently revoke a depository's designation as a state depository if the comptroller makes a written finding that the depository:

(1) has not maintained reasonable compliance with this chapter;  
and

(2) has acted in bad faith by not remedying a violation of this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

Sec. 2257.063. MITIGATING CIRCUMSTANCES. (a) The comptroller shall consider the total circumstances relating to the performance of a depository or custodian when the comptroller makes a finding required by Section 2257.062, including the extent to which the noncompliance is minor, isolated, temporary, or nonrecurrent.

(b) The comptroller may not find that a depository or custodian did not maintain reasonable compliance with this chapter if the noncompliance results from the public entity's failure to comply with Section 2257.026.

(c) This section does not relieve a depository or custodian of the obligation to secure a deposit of public funds with eligible security in the amount and manner required by this chapter within a reasonable time after the public entity deposits the deposit of public funds with the depository.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

Sec. 2257.064. REINSTATEMENT. The comptroller may reinstate a depository's designation as a state depository if:

(1) the comptroller determines that the depository has remedied all violations of this chapter; and

(2) the depository assures the comptroller to the comptroller's satisfaction that the depository will maintain reasonable compliance with this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

#### SUBCHAPTER E. EXEMPT INSTITUTIONS

Sec. 2257.081. DEFINITION. In this subchapter, "exempt institution" means:

(1) a public retirement system, as defined by Section 802.001;

or

(2) the permanent school fund, as described by Section 43.001, Education Code.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 165, Sec. 6.31, eff. Sept. 1, 1997.

Sec. 2257.082. FUNDS OF EXEMPT INSTITUTION. An exempt institution is not required to have its funds fully insured or collateralized at all times if:

(1) the funds are held by:

(A) a custodian of the institution's assets under a trust agreement; or

(B) a person in connection with a transaction related to an investment; and

(2) the governing body of the institution, in exercising its fiduciary responsibility, determines that the institution is adequately protected by using a trust agreement, special deposit, surety bond, substantial deposit insurance, or other method an exempt institution commonly uses to protect itself from liability.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.083. INVESTMENT; SELECTION OF DEPOSITORY. This chapter does not:

(1) prohibit an exempt institution from prudently investing in a certificate of deposit; or

(2) restrict the selection of a depository by the governing body of an exempt institution in accordance with its fiduciary duty.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER F. POOLED COLLATERAL TO SECURE

##### DEPOSITS OF CERTAIN PUBLIC FUNDS

Sec. 2257.101. DEFINITION. In this subchapter, "participating institution" means a financial institution that holds one or more deposits of public funds and that participates in the pooled collateral program under this subchapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.102. POOLED COLLATERAL PROGRAM. (a) As an alternative to collateralization under Subchapter B, the comptroller by rule shall establish a program for centralized pooled collateralization of deposits of public funds and for monitoring collateral maintained by participating institutions. The rules must provide that deposits of public funds of a county are not eligible for collateralization under the program. The comptroller shall provide for a separate collateral pool for any single participating institution's deposits of public funds.

(b) Under the pooled collateral program, the collateral of a participating institution pledged for a public deposit may not be combined with, cross-collateralized with, aggregated with, or pledged to another participating institution's collateral pools for pledging purposes.

(c) A participating institution may pledge its pooled securities to more than one participating depositor under contract with that participating institution.

(d) The pooled collateral program must provide for:

(1) participation in the program by a participating institution and each affected public entity to be voluntary;

(2) uniform procedures for processing all collateral transactions that are subject to an approved security agreement described by Section 2257.103; and

(3) the pledging of a participating institution's collateral securities using a single custodial account instead of an account for each depositor of public funds.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.103. PARTICIPATION IN POOLED COLLATERAL PROGRAM. A financial institution may participate in the pooled collateral program only if:

(1) the institution has entered into a binding collateral security agreement with a public agency for a deposit of public funds and the agreement permits the institution's participation in the program;

(2) the comptroller has approved the institution's participation in the program; and

(3) the comptroller has approved or provided the collateral security agreement form used.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.104. COLLATERAL REQUIRED; CUSTODIAN TRUSTEE. (a) Each participating institution shall secure its deposits of public funds with eligible securities the total value of which equals at least 102 percent of the amount of the deposits of public funds covered by a security agreement described by Section 2257.103 and deposited with the participating institution, reduced to the extent that the United States or an instrumentality of the United States insures the deposits. For purposes of determining whether collateral is sufficient to secure a deposit of public funds, Section 2257.022(b) does not apply to a deposit of public funds held by the participating institution and collateralized under this subchapter.

(b) A participating institution shall provide for the collateral securities to be held by a custodian trustee, on behalf of the participating institution, in trust for the benefit of the pooled collateral program. A custodian trustee must qualify as a custodian under Section 2257.041.

(c) The comptroller by rule shall regulate a custodian trustee under the pooled collateral program in the manner provided by Subchapter C to the extent practicable. The rules must ensure that a custodian trustee depository does not own, is not owned by, and is independent of the financial institution or institutions for which it holds the securities in

trust, except that the rules must allow the following to be a custodian trustee:

- (1) a federal reserve bank;
  - (2) a banker's bank, as defined by Section 34.105, Finance Code;
- and
- (3) a federal home loan bank.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.105. MONITORING COLLATERAL. (a) Each participating institution shall file the following reports with the comptroller electronically and as prescribed by rules of the comptroller:

- (1) a daily report of the aggregate ledger balance of deposits of public agencies participating in the pooled collateral program that are held by the institution, with each public entity's funds held itemized;

- (2) a weekly summary report of the total market value of securities held by a custodian trustee on behalf of the participating institution;

- (3) a monthly report listing the collateral securities held by a custodian trustee on behalf of the participating institution, together with the value of the securities; and

- (4) as applicable, a participating institution's annual report that includes the participating institution's financial statements.

(b) The comptroller shall provide the participating institution an acknowledgment of each report received.

(c) The comptroller shall provide a daily report of the market value of the securities held in each pool.

(d) The comptroller shall post each report on the comptroller's Internet website.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.106. ANNUAL ASSESSMENT. (a) Once each state fiscal year, the comptroller shall impose against each participating institution an assessment in an amount sufficient to pay the costs of administering this subchapter. The amount of an assessment must be based on factors that include the number of public entity accounts a participating institution maintains, the number of transactions a participating institution conducts, and the aggregate average weekly deposit amounts during that state fiscal



year of each participating institution's deposits of public funds collateralized under this subchapter. The comptroller by rule shall establish the formula for determining the amount of the assessments imposed under this subsection.

(b) The comptroller shall provide to each participating institution a notice of the amount of the assessment against the institution.

(c) A participating institution shall remit to the comptroller the amount assessed against it under this section not later than the 45th day after the date the institution receives the notice under Subsection (b).

(d) Money remitted to the comptroller under this section may be appropriated only for the purposes of administering this subchapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.107. PENALTY FOR REPORTING VIOLATION. The comptroller may impose an administrative penalty against a participating institution that does not timely file a report required by Section 2257.105.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.108. NOTICE OF COLLATERAL VIOLATION; ADMINISTRATIVE PENALTY. (a) The comptroller may issue a notice to a participating institution that the institution appears to be in violation of collateral requirements under Section 2257.104 and rules of the comptroller.

(b) The comptroller may impose an administrative penalty against a participating institution that does not maintain collateral in an amount and in the manner required by Section 2257.104 and rules of the comptroller if the participating institution has not remedied the violation before the third business day after the date a notice is issued under Subsection (a).

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.109. PENALTY FOR FAILURE TO PAY ASSESSMENT. The comptroller may impose an administrative penalty against a participating institution that does not pay an assessment against it in the time provided by Section 2257.106(c).

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.110. PENALTY AMOUNT; PENALTIES NOT EXCLUSIVE. (a) The comptroller by rule shall adopt a formula for determining the amount of a penalty under this subchapter. For each violation and for each day of a continuing violation, a penalty must be at least \$100 per day and not more than \$1,000 per day. The penalty must be based on factors that include:

- (1) the aggregate average weekly deposit amounts during the state fiscal year of the institution's deposits of public funds;
- (2) the number of violations by the institution during the state fiscal year;
- (3) the number of days of a continuing violation; and
- (4) the average asset base of the institution as reported on the institution's year-end report of condition.

(b) The penalties provided by Sections 2257.107-2257.109 are in addition to those provided by Subchapter D or other law.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.111. PENALTY PROCEEDING CONTESTED CASE. A proceeding to impose a penalty under Section 2257.107, 2257.108, or 2257.109 is a contested case under Chapter 2001.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.112. SUIT TO COLLECT PENALTY. The attorney general may sue to collect a penalty imposed under Section 2257.107, 2257.108, or 2257.109.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.113. ENFORCEMENT STAYED PENDING REVIEW. Enforcement of a penalty imposed under Section 2257.107, 2257.108, or 2257.109 may be stayed during the time the order is under judicial review if the participating institution pays the penalty to the clerk of the court or files a supersedeas bond with the court in the amount of the penalty. A participating institution that cannot afford to pay the penalty or file the

bond may stay the enforcement by filing an affidavit in the manner required by the Texas Rules of Civil Procedure for a party who cannot afford to file security for costs, subject to the right of the comptroller to contest the affidavit as provided by those rules.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.114. USE OF COLLECTED PENALTIES. Money collected as penalties under this subchapter may be appropriated only for the purposes of administering this subchapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

## Pepe Dominguez

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**From:** Pepe Dominguez <peped@co.jefferson.tx.us>  
**Sent:** Friday, January 15, 2021 1:36 PM  
**To:** vpierce@co.jefferson.tx.us  
**Cc:** 'Commissioner Weaver' (bweaver@co.jefferson.tx.us); 'Commissioner Sinegal' (msinegal@co.jefferson.tx.us); 'Commissioner Alfred' (ealfred@co.jefferson.tx.us); 'Judge Branick' (jbranick@co.jefferson.tx.us); Steve Stafford [sstafford@co.jefferson.tx.us] (sstafford@co.jefferson.tx.us); 'Ronda Conlin' (rconlin@co.jefferson.tx.us); ggross@co.jefferson.tx.us; rpls5163@aol.com  
**Subject:** Minor Plat of a Called 23.271 acre tract into the Barnett Estates lying in the John Blair Survey, Abstract No. 4  
**Attachments:** Minor Plat Barnett Estates\_Comm Court.pdf

Commissioner Pierce,

Attached is a PDF of a Minor Plat of a Called 23.271 acre tract into the Barnett Estates lying in the John Blair Survey, Abstract No. 4, Jefferson County, Texas, located on Nolte Road in Precinct #1. This plat is not within any ETJ and has met all of our platting requirements.

I will be placing this plat on the Agenda for Tuesday, January 26<sup>th</sup>, 2021.

If you have any questions please contact either Steve or myself.

Pepe Dominguez

*Pepe Dominguez*  
 Jefferson County Engineering  
 1149 Pearl 5th Floor  
 Beaumont, TX 77701  
 Offc. 409 835-8584  
 Fax. 409 835-8718  
 email: [peped@co.jefferson.tx.us](mailto:peped@co.jefferson.tx.us)



State of Texas, County of Jefferson

I, \_\_\_\_\_, County Clerk of Jefferson County, Texas do hereby certify that the within instrument was filed for registration in my office and duly recorded on \_\_\_\_\_, 2021, in County Clerk's File No. \_\_\_\_\_ Jefferson County Plat Records.

County Clerk, Jefferson County, Texas

By: \_\_\_\_\_ Deputy

**FIELD NOTE DESCRIPTION - 23.277**

Being a 23.277 acre tract of land lying in the John Blair Survey, Abstract No. 4, Jefferson County, Texas and being all of that certain called 23.271 acre tract of land described in an instrument to Brady J. Barnett of record in County Clerk's File No. 2012019213, Official Public Records, Jefferson County, Texas, said 23.277 acres being more particularly described by metes and bounds as follows:

Note: All bearings and coordinates are grid, based on the Texas Coordinate System of 1983 (NAD83), South Central Zone with a scale factor of 0.99993146 and a convergence angle at the POB of 02°14'15". All distances and areas are based on surface measurements.

BEGINNING at an iron rod with a plastic cap stamped "ACCESS SURVEYORS" found marking the West line of the Lower Neches Valley Authority (L.N.V.A.) Canal's 220-foot right of way, the Southeast corner of that certain called 158.276 acre tract of land described in an instrument to Broussard Farms, Inc. of record in Film Code No. 101-53-0026, Real Property Records, Jefferson County, Texas, and being the Northeast corner of the herein described tract, said iron rod having a Texas State Plane Coordinate of N: 13,941,231.24, E: 3,413,749.71;

THENCE S 16°22'30" W (called S 16°23'38" W) with the West line of said L.N.V.A. canal right of way and the East line of the herein described tract a distance of 585.57 feet (called 585.36 feet) to a point lying in a drainage ditch for the Northeast corner of the remainder of that certain called 160 acre tract of land described in an instrument to Melanie K. Holland of record in County Clerk's File No. 2017010802 of said Official Public Records and being the Southeast corner of the herein described tract;

THENCE S 86°59'44" W (called S 86°59'12" W) with the North line of the remainder of said 160 acre tract and the South line of the herein described tract, at 10.00 feet passing an iron rod with a plastic cap stamped "ACCESS SURVEYORS" found for reference, at 1,677.29 feet passing an iron rod with a plastic cap stamped "ACCESS SURVEYORS" found for reference, and continuing a total distance of 1,707.28 feet (called 1,704.50 feet) to a point lying in the centerline of Nolte Road (60-foot right of way) for the Northwest corner of the remainder of said 160 acre tract and being the Southwest corner of the herein described tract;

THENCE N 03°01'19" W (called N 03°00'48" W) with the centerline of said Nolte Road and the West line the herein described tract a distance of 570.45 feet (called 570.63 feet) to a point for the Southwest corner of said 158.276 acre tract and being the Northwest corner of the herein described tract;

THENCE N 87°32'22" E (called N 87°32'42" E) with the South line of said 158.276 acre tract and the North line of the herein described tract, at 29.93 feet passing an iron rod with a plastic cap stamped "ACCESS SURVEYORS" found for reference and continuing a total distance of 1,901.85 feet (called 1,901.45) to the POINT AND PLACE OF BEGINNING, containing in area, 23.277 acres of land, more or less.

**Surveyor's Notes:**

- This survey was completed without the benefit of a title commitment, and not all easements or servitudes, whether of record or not, were researched at the time of this survey or shown hereon.
- All bearings and coordinates are grid, based on the Texas Coordinate System of 1983 (NAD83), South Central Zone with a scale factor of 0.99993146 and a convergence angle at the POB of 02°14'15". All distances and areas are based on surface measurements.
- All elevations are NAVD88 (calculated using Geoid 18), based on RTK GNSS observation and tied to Trimble's VRS Network.
- According to Fema's Flood Insurance Rate Map No. 480385 0100 B, Dated June 1, 1983, the subject property is located in Flood Zone "C".
- No improvements, utilities, or water features are shown hereon.
- All set iron rods have a plastic cap stamped "ACCESS SURVEYORS".

**Development Regulations Notes:**

No construction or other development within this plat may begin until all Jefferson County development requirements have been met.

**School District Note:**

This minor plat is within the boundaries of the Hardin-Jefferson ISD

**Utility Notes:**

Electric Utility Service will be provided by: UNKNOWN  
Telephone utility service will be provided by: UNKNOWN  
Gas utility service will be provided by: UNKNOWN  
Water utility service will be provided by: UNKNOWN  
Sewer utility service will be provided by: UNKNOWN  
Cable utility service will be provided by: UNKNOWN

**Sewage Disposal Note:**

No structure in this subdivision shall be occupied until connected to a public sewer system or to an on-site wastewater system, which has been approved and permitted by Jefferson County.

**Individual Water Supply Note:**

No structure in this subdivision shall be occupied until connected to a public water supply, state approved community water system, or engineered rainwater collection system.

**Required Clear Space for an On-Site Sewage Facility (OSSF)**

Type of Facility	Usage Rate - Gallons per Day (without water saving devices)	Required Clear Area for OSSF (in Square Feet)	Usage Rate - Gallons per Day (with water saving devices)	Required Clear Area for OSSF (in Square Feet)
Single Family Dwelling (1 or 2 Bedrooms) < 1500 sq. ft.	225	6428	180	5143
Single Family Dwelling (3 Bedrooms) < 2500 sq. ft.	300	8571	240	6857
Single Family Dwelling (4 Bedrooms) < 3500 sq. ft.	375	10714	300	8571
Single Family Dwelling (5 Bedrooms) < 4500 sq. ft.	450	12857	360	10286
Single Family Dwelling (6 Bedrooms) < 5500 sq. ft.	525	15000	420	12000

Note: SAMPLE - consult the TCEQ Regulations for proper sizes

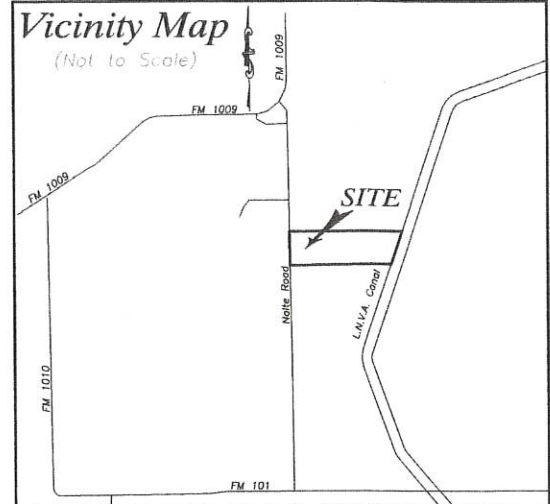
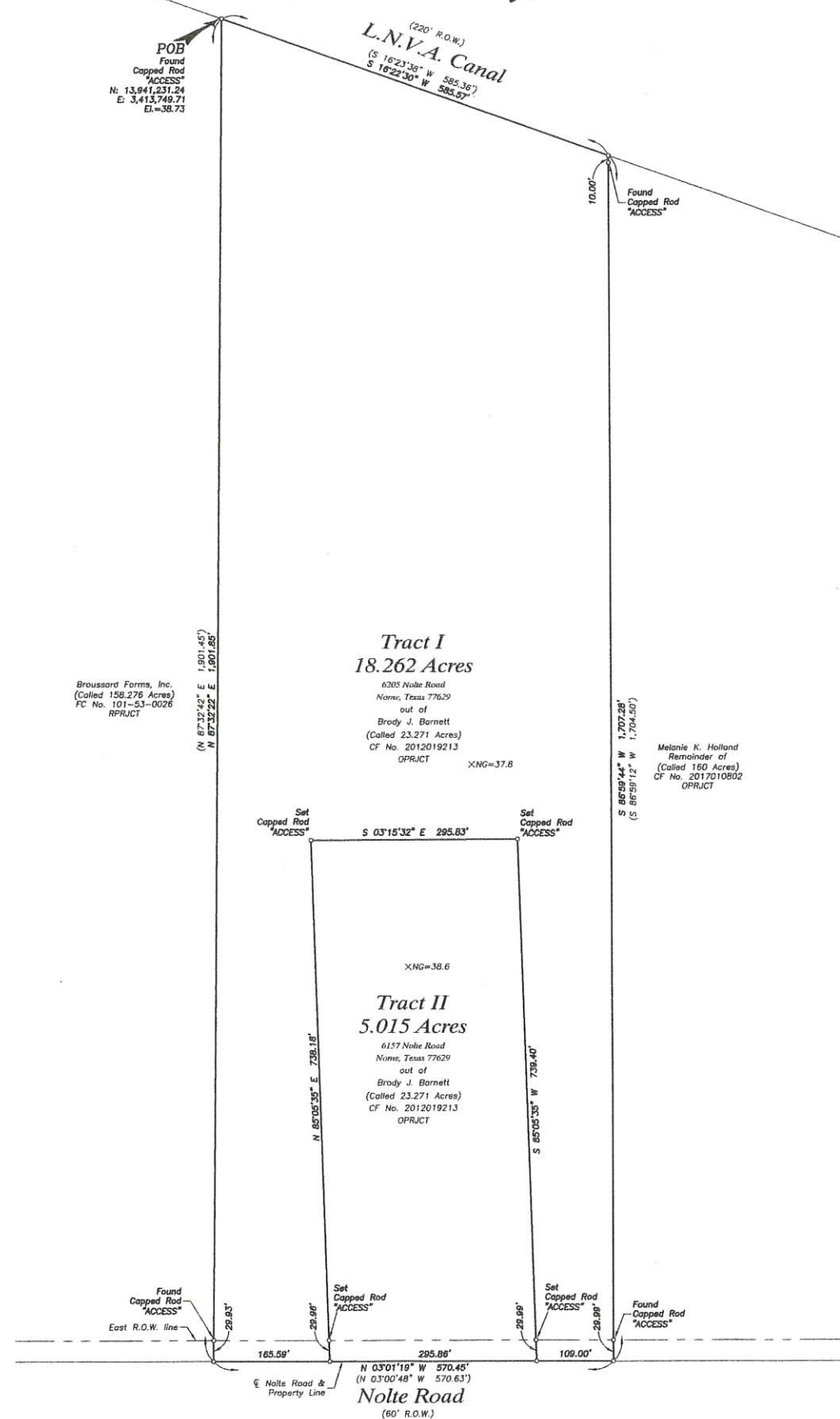
# MINOR PLAT

## of a called 23.271 acre tract into the

### BARNETT ESTATES

#### lying in the John Blair Survey, Abstract No. 4

#### Jefferson County, Texas

**Surveyor's Certificate:**

I, Scott N. Brackin, a Registered Professional Land Surveyor in the State of Texas, certify that this plat has been prepared from an actual standard land survey on the ground, that all corners were found or set as noted and that this plat correctly represents said survey by me and is in accordance with the subdivision regulations of Jefferson County, Texas.

*Scott N. Brackin*  
1-15-21  
Registered Professional Land Surveyor No. 6650

**Ownership Certificate:**

State of Texas  
County of Jefferson

KNOW ALL MEN BY THESE PRESENTS, That I, Brady J. Barnett owner of that certain called 23.271 acre tract of land described County Clerk's File No. 2012019213, Official Public Records, Jefferson County, Texas, DO HEREBY SUBDIVIDE said property in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted and do hereby dedicate to the public the streets and easements shown hereon.

Witness my hand, this 19 day of January, 2021.

*Brady J. Barnett*  
Brady J. Barnett, OWNER

State of Texas  
County of Jefferson

BEFORE ME, the undersigned authority, on this day personally appeared Brady J. Barnett known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

Given under my hand and seal of office this the 15th day of January, 2021.

By: *Carrie Bliss Sims*  
Notary public in and for the state of Texas

**Certificate of County Approval:**

Approved by the Commissioners Court of Jefferson County, Texas of the \_\_\_\_\_ day of \_\_\_\_\_, 2021, authorizing the filing for record of this plat. Jefferson County assumes an obligation for the maintenance of streets, road, drainage or any other improvements.

Commissioner, Precinct No. 1  
Jefferson County, Texas

Commissioner, Precinct No. 2  
Jefferson County, Texas

Commissioner, Precinct No. 3  
Jefferson County, Texas

Commissioner, Precinct No. 4  
Jefferson County, Texas

County Judge  
Jefferson County, Texas

**Certificate of County Director of Engineering:**

I, \_\_\_\_\_ Director of Engineering of Jefferson County, Texas do hereby certify that this plat complies with all existing rules and regulations of this office as adopted by the commissioner's court of Jefferson County, Texas.

Director of Engineering



## Pepe Dominguez

---

**From:** Pepe Dominguez <peped@co.jefferson.tx.us>  
**Sent:** Friday, January 15, 2021 8:35 AM  
**To:** 'Commissioner Sinegal' (msinegal@co.jefferson.tx.us)  
**Cc:** vpierce@co.jefferson.tx.us; 'Commissioner Weaver' (bweaver@co.jefferson.tx.us);  
 'Commissioner Alfred' (ealfred@co.jefferson.tx.us); 'Judge Branick'  
 (jbranick@co.jefferson.tx.us); Steve Stafford [sstafford@co.jefferson.tx.us]  
 (sstafford@co.jefferson.tx.us); 'Ronda Conlin' (rconlin@co.jefferson.tx.us);  
 ggross@co.jefferson.tx.us; 'stacey@soutex.net'  
**Subject:** Tracts "A", I & II 9.883 Acres of land Out of Lot 5, Theo F. Koch Subdivision  
**Attachments:** Tracts A, I & II\_ 9.883 Acres of Land Out of Lot 5, Theo F. Koch\_ Comm Court.pdf

Good morning Commissioner Sinegal,

Attached is a PDF of Tracts "A", I & II 9.883 Acres of land Out of Lot 5, Theo F. Koch Subdivision, Part of the E. Lopez League Abstract No. 37 Jefferson County . Located off of Brush Island Road in Precinct #3. This plat is not within any ETJ and has met all of our platting requirements.

I will be placing this plat on the Agenda for Tuesday, January 26<sup>th</sup>, 2021.

If you have any questions please contact either Steve or myself.

Pepe Dominguez

*Pepe Dominguez*  
 Jefferson County Engineering  
 1149 Pearl 5th Floor  
 Beaumont, TX 77701  
 Offc. 409 835-8584  
 Fax. 409 835-8718  
 email: [peped@co.jefferson.tx.us](mailto:peped@co.jefferson.tx.us)

Acknowledgement and certificate of dedication by the Owner, to wit:

STATE OF TEXAS  
COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS, MAURICIO ROMERO, JR., OWNER OF PART OF LOT 5, THEO F. KOCH SUBDIVISION, RECORDED IN VOL. 3, PG. 113, MAP RECORDS, JEFFERSON COUNTY, TEXAS, AS CONVEYED TO US BY DEED DATED 12/12/2019, AND RECORDED IN F. # 2020000450, OFFICIAL PUBLIC RECORDS, JEFFERSON COUNTY, TEXAS, DO HEREBY SUBDIVIDE 9.883 ACRES OF LAND, OUT OF LOT 5, THEO F. KOCH SUBDIVISION, PART OF THE E. LOPEZ LEAGUE, ABSTRACT NO. 37, JEFFERSON COUNTY, TEXAS, TO BE KNOWN AS TRACTS "A", I, & II, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETO FORE GRANTED AND DO HEREBY DEDICATE TO THE PUBLIC THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HANDS IN JEFFERSON COUNTY, TEXAS THIS 13<sup>th</sup> DAY OF

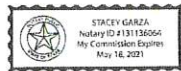
January, 2021

*Mauricio Romero*  
MAURICIO ROMERO, JR. (OWNER)

STATE OF TEXAS  
COUNTY OF JEFFERSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MAURICIO ROMERO, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 13<sup>th</sup> DAY OF January, A.D., 2021



NOTARY PUBLIC IN AND FOR  
JEFFERSON COUNTY, TEXAS  
MY COMMISSION EXPIRES 5/18/2023 (DATE)

Certificate of County Approval, to-wit:

STATE OF TEXAS  
COUNTY OF JEFFERSON

APPROVED BY THE COMMISSIONERS COURT OF JEFFERSON COUNTY, TEXAS ON THE DAY OF A.D. 2021, AUTHORIZING THE FILING FOR RECORD OF THIS PLAT. JEFFERSON COUNTY ASSUMES NO OBLIGATIONS FOR THE MAINTENANCE OF STREETS, ROADS, DRAINAGE OR ANY OTHER IMPROVEMENTS.

COMMISSIONER PRECINCT NO. 1  
JEFFERSON COUNTY, TEXAS

COMMISSIONER PRECINCT NO. 2  
JEFFERSON COUNTY, TEXAS

COMMISSIONER PRECINCT NO. 3  
JEFFERSON COUNTY, TEXAS

COMMISSIONER PRECINCT NO. 4  
JEFFERSON COUNTY, TEXAS

COUNTY JUDGE  
JEFFERSON COUNTY, TEXAS

Certificate of Recording, to-wit:

STATE OF TEXAS  
COUNTY OF JEFFERSON

I, \_\_\_\_\_, COUNTY CLERK OF JEFFERSON COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE DAY OF 20, AT O'CLOCK M., AND DULY RECORDED ON THE DAY OF 20, AT O'CLOCK M., IN THE PLAT RECORDS OF JEFFERSON COUNTY, TEXAS, IN BOOK PAGE \_\_\_\_\_.

COUNTY CLERK, JEFFERSON COUNTY, TEXAS

Certification of Jefferson County Engineering:

I, STEVE STAFFORD, COUNTY ENGINEER OF JEFFERSON COUNTY, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY COMMISSIONER'S COURT OF JEFFERSON COUNTY, TEXAS

COUNTY ENGINEER

Certification of Surveyor:

I, ANTHONY M. LEGER, A TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF JEFFERSON COUNTY.

ANTHONY M. LEGER  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5481

Development Regulations Note:

NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL JEFFERSON COUNTY DEVELOPMENT REQUIREMENTS HAVE BEEN MET.

Municipal/RTJ Note:

THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF JEFFERSON COUNTY.

School District Plat Note:

THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE HAMPSHIRE-FANNET SCHOOL DISTRICT.

FEMA Flood Plain Note:

NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN AS DELINEATED ON THE FEMA FLOOD INSURANCE RATE MAP FOR JEFFERSON COUNTY COMMUNITY PANEL # 4803850555 C, DATED 08/06/2002, ZONE "X".

Utility Notes:

ELECTRIC UTILITY SERVICE WILL BE PROVIDED BY: ENTERGY  
TELEPHONE UTILITY SERVICE WILL BE PROVIDED BY: AT&T  
GAS UTILITY SERVICE WILL BE PROVIDED BY: N/A  
WATER UTILITY SERVICE WILL BE PROVIDED BY: ON SITE WELL  
SEWER UTILITY SERVICE WILL BE PROVIDED BY: ON SITE SEWER FACILITY  
CABLE UTILITY SERVICE WILL BE PROVIDED BY: N/A

Sewage Disposal Note:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM, WHICH HAS BEEN APPROVED AND PERMITTED BY JEFFERSON COUNTY.

Individual Water Supply Note:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY, STATE APPROVED COMMUNITY WATER SYSTEM, OR ENGINEERED RAINWATER COLLECTION SYSTEM.

Water Supply Note:

N/A, AN APPROVED PUBLIC WATER SUPPLY SYSTEM, HAS ADEQUATE QUANTITY TO SUPPLY THE SUBDIVISION AND PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

Pipeline Easement Note:

ALL EXISTING PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION HAVE BEEN SHOWN.

Drainage Easement Note:

ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITIES.

OSSF TABLE				
TYPE OF FACILITY	USAGE RATE GALLONS PER DAY (WITHOUT WATER SAVING DEVICES)	REQUIRED CLEAR AREA FOR OSSF (IN SQUARE FEET)	USAGE RATE - GALLONS PER DAY (WITH WATER SAVING DEVICES)	REQUIRED CLEAR AREA FOR OSSF (IN SQUARE FEET)
SINGLE FAMILY (1-2 BEDROOMS) LESS THAN 1500 SQ. FT.	225	6428	180	5143
SINGLE FAMILY (3 BEDROOMS) LESS THAN 2500 SQ. FT.	300	8571	240	6857
SINGLE FAMILY (4 BEDROOMS) LESS THAN 3500 SQ. FT.	375	10714	300	8571
SINGLE FAMILY (5 BEDROOMS) LESS THAN 4500 SQ. FT.	450	12857	360	10286
SINGLE FAMILY (6 BEDROOMS) LESS THAN 5500 SQ. FT.	525	15000	420	12000

TRACTS "A", I & II  
9.883 ACRES OF LAND  
OUT OF THE THEO F. KOCH SUBDIVISION  
PART OF THE E. LOPEZ LEAGUE  
ABSTRACT NO. 37  
JEFFERSON COUNTY, TEXAS

BEING 9.883 acres of land out of and a part of Lot 5, Theo F. Koch Subdivision, recorded in Volume 3, Page 113, Map Records, part of the E. Lopez League, Abstract No. 37, Jefferson County, Texas; being part of a (Called 10.096) acre tract of land described in a deed to Mauricio Romero, Jr., recorded in File No. 2020000450, Official Public Records, Jefferson County, Texas; said 9.883 acre tract being more fully described by metes and bounds as follows, to-wit:

Note: Bearings, coordinates, distances and acreage are based on the Texas Coordinate System of 1983, South Central Zone, US Survey Feet, and are referenced to SmartNet, North America.

BEGINNING at a point for corner for the most Easterly Northeast corner of the (Called 10.096) acre tract; said point being in the center line of an unrestricted public used roadway named Brush Island Road and being the most Easterly Northeast corner of the herein described tract; having a Texas Coordinate of N: 13881254.86, E: 3441873.53;

THENCE, South 03 deg, 42 min, 27 sec, East, on the center line of said Brush Island Road, some being the East line of the (Called 10.096) acre tract, a distance of 60.00' to a point for corner;

THENCE, South 87 deg, 03 min, 19 sec, West, (Called South 89 deg, 59 min, 11 sec, West), a distance of 30.00' passing a 1" steel pipe found on the North line of a tract of land described in a deed to Mauricio Romero and Gloria Romero, recorded in File No. 2002046197, Official Public Records, Jefferson County, Texas; continuing for a total distance of 280.14' (Called 280.00') to a 1 1/2" steel pipe found for the Northwest corner of said Mauricio Romero and Gloria Romero tract;

THENCE, South 87 deg, 11 min, 56 sec, West, a distance of 85.36' to a 1/2" steel rod, capped and marked "SOUTEX", set for corner;

THENCE, South 02 deg, 36 min, 26 sec, East, a distance of 108.23' to a 1/2" steel rod, capped and marked "SOUTEX", set for corner;

THENCE, North 87 deg, 02 min, 38 sec, East, a distance of 85.37' to a 1/2" steel rod, capped and marked "SOUTEX", set for the Southwest corner of said Mauricio Romero and Gloria Romero tract, some being the Northwest corner of a tract of land described in a deed to Jesse L. Coting and Verna Jean Coting, recorded in File No. 2005021792, Official Public Records, Jefferson County Texas; said 1/2" steel rod being an exterior corner of the herein described tract;

THENCE, South 02 deg, 36 min, 26 sec, East (Called South 00 deg, 00 min, 21 sec, East), on

the West line of Coting tract, a distance of 206.86' to a 1/2" steel rod found bent for the Southwest corner of said Coting tract, on the North line of a tract of land described in a deed to Carolyn Tidwell, recorded in File No. 202004773, Official Public Records, Jefferson County, Texas; said 1/2" steel rod being the most Southerly Southeast corner of the herein described tract;

THENCE, South 87 deg, 10 min, 26 sec, West (Called South 89 deg, 59 min, 11 sec, West), a distance of 616.48' (Called 617.09') to a 1/2" steel rod, with an orange cap, found on the South line of a tract of land described in a deed to Charles J. Fantomel, recorded in Volume 2082, Page 12, Deed Records, Jefferson County, Texas; said 1/2" steel rod being the Southwest corner of the herein described tract;

THENCE, North 03 deg, 01 min, 35 sec, West (Called North 00 deg, 10 min, 53 sec, West), a distance of 660.03' (Called 660.13') to a 2" steel pipe found for the Southwest corner of a tract of land described in a deed to Shoco Production, LP, recorded in File No. 2020022708, Official Public Records, Jefferson County, Texas; said 2" steel pipe being the Northwest corner of the herein described tract;

THENCE, North 87 deg, 08 min, 29 sec, East (Called North 89 deg, 59 min, 11 sec, East), on the South line of said Shoco Production, LP tract, a distance of 669.14' (Called 669.24') to a 1/2" steel rod, with an orange cap, found for the Northwest corner of a tract of land described in a deed to Ezequiel Rosales and Ibarra Maria De Jesus, recorded in File No. 2012028173, Official Public Records, Jefferson County, Texas; said 1/2" steel rod being the most Northerly Northeast corner of the herein described tract;

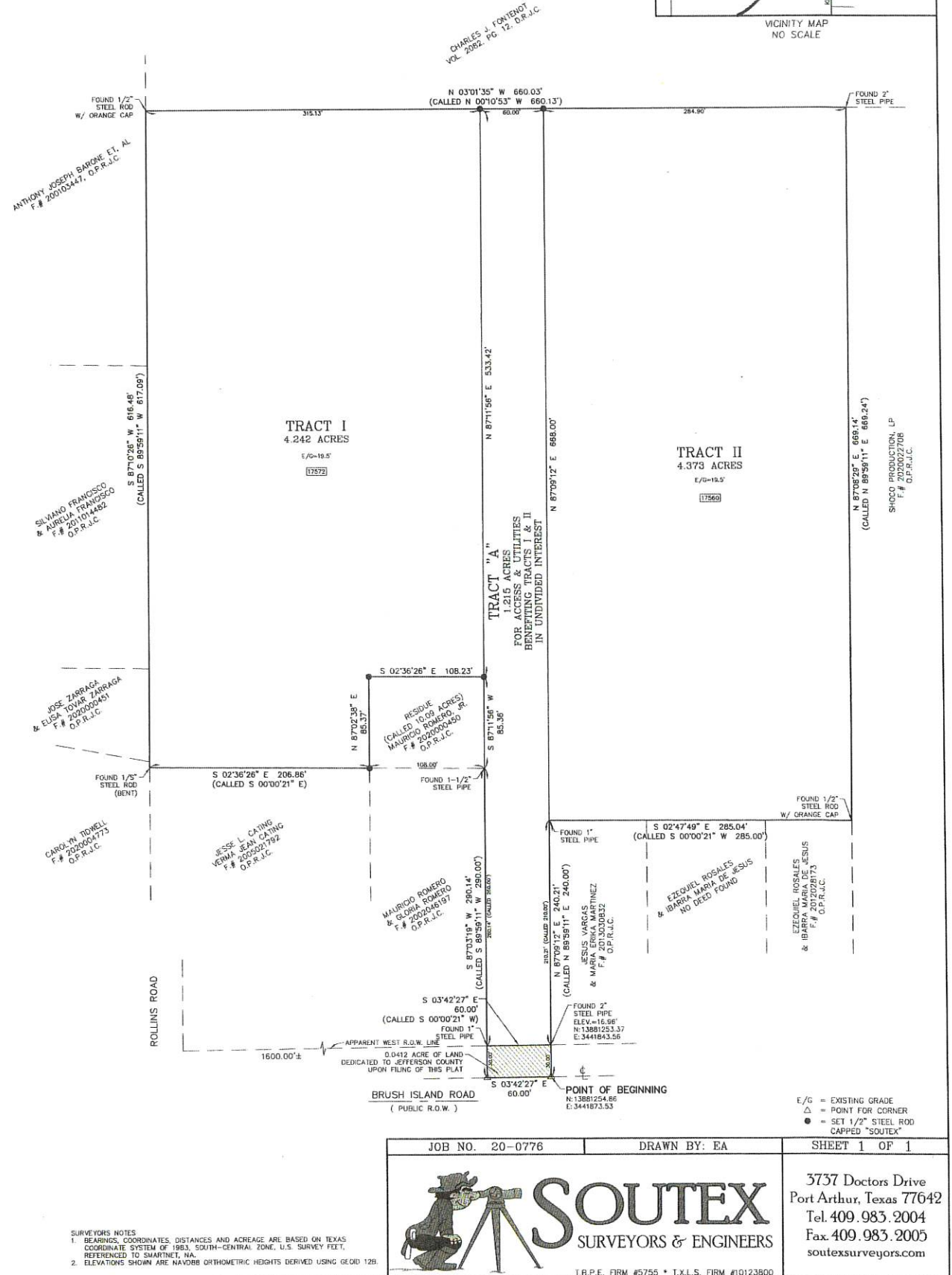
THENCE, South 02 deg, 47 min, 49 sec, East (Called South 00 deg, 00 min, 21 sec, West), a distance of 285.04' (Called 285.00') to a 1" steel pipe found for the Southwest corner of a tract of land described in a deed to Jesus Vargas and Maria Erica Martinez, recorded in File No. 2013030832, Official Public Records, Jefferson County, Texas; said 1" steel pipe being an interior corner of the herein described tract;

THENCE, North 87 deg, 09 min, 12 sec, East (Called North 89 deg, 59 min, 11 sec, East), on the South line of said Vargas and Martinez tract, a distance of 210.21' (Called 210.00') passing a 2" steel pipe found on the apparent West right-of-way line of said Brush Island Road, continue for total distance of 240.21' (Called 240.00') to the POINT OF BEGINNING, and containing 9.883 acres of land, more or less.

This description is based on the Land Survey made under the direct supervision of Anthony M. Leger, Registered Professional Land Surveyor No. 5481 on January 6, 2021.

Mauricio Romero, Jr.  
LS-20-0776

TRACTS "A", I & II  
9.883 ACRES OF LAND  
OUT OF LOT 5, THEO F. KOCH SUBDIVISION  
PART OF THE E. LOPEZ LEAGUE  
ABSTRACT NO. 37  
JEFFERSON COUNTY, TEXAS



SURVEYOR'S NOTES  
1. BEARINGS, COORDINATES, DISTANCES AND ACREAGE ARE BASED ON TEXAS COORDINATE SYSTEM OF 1983, SOUTH-CENTRAL ZONE, U.S. SURVEY FEET, REFERENCED TO SMARTNET, NA.  
2. ELEVATIONS SHOWN ARE NAVD83 ORTHOMETRIC HEIGHTS DERIVED USING GEOID 12B.

D.R.J.C. = DEED RECORDS, JEFFERSON COUNTY  
O.P.R.J.C. = OFFICIAL PUBLIC RECORDS, JEFFERSON COUNTY

JOB NO. 20-0776 DRAWN BY: EA SHEET 1 OF 1

**SOUTEX**  
SURVEYORS & ENGINEERS

3737 Doctors Drive  
Port Arthur, Texas 77642  
Tel. 409.985.2004  
Fax. 409.985.2005  
soutexsurveys.com

T.B.P.E. FIRM #5755 \* T.X.L.S. FIRM #0123800





# Resolution

STATE OF TEXAS

§  
§  
§

COMMISSIONERS COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners Court of Jefferson County, Texas, held on the 26th day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**WHEREAS, *Kenneth Richardson***, has devoted 11 years and 6 months of his life serving the people of Jefferson County with pride and professionalism; and

**WHEREAS, *Kenneth Richardson***, has dedicated his talents and services as a Corrections Officer in the Correctional Facility for the Jefferson County Sheriff's Office; and

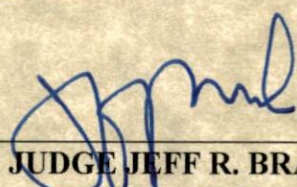
**WHEREAS, *Kenneth Richardson***, has pledged his services as a Corrections Officer, working in the dorms and in K-9 at the Jefferson County Correctional Facility, which includes following policies, procedures, rules and regulations for the care and custody of inmates, also responding to emergency situations involving the evacuation of inmates for hurricanes, for the Jefferson County Sheriff's Office; and

**WHEREAS**, through hard work and commitment to excellence, ***Kenneth Richardson***, has earned the respect of his colleagues and the citizens of Jefferson County; and

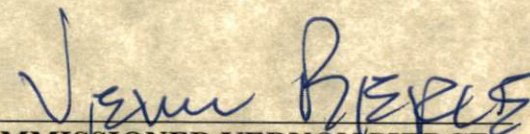
**WHEREAS**, having made a significant contribution to the Jefferson County Sheriffs' Office, ***Kenneth Richardson***, is recognized for his unselfish devotion to the common good and welfare of the citizens of Jefferson County; and will always be missed by his friends and co-workers.

**NOW THEREFORE, BE IT RESOLVED** that the Jefferson County Commissioners Court does hereby honor and commend ***Kenneth Richardson***, for his dedicated service as a valuable employee of Jefferson County and wishes him well in his retirement.

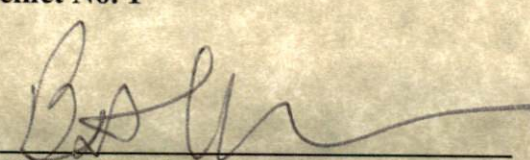
SIGNED this 26th day of January, 2021.

  
\_\_\_\_\_  
**JUDGE JEFF R. BRANICK**  
County Judge



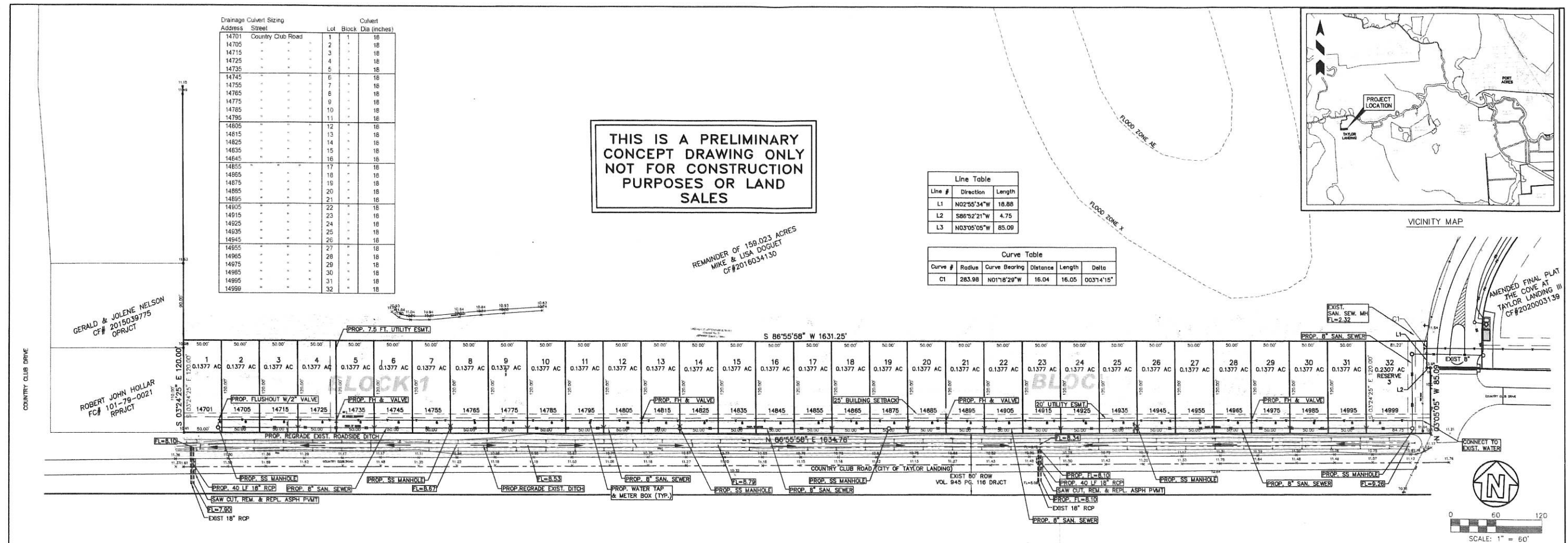
  
\_\_\_\_\_  
**COMMISSIONER VERNON PIERCE**  
Precinct No. 1

  
\_\_\_\_\_  
**COMMISSIONER MICHAEL S. SINEGAL**  
Precinct No. 3

  
\_\_\_\_\_  
**COMMISSIONER BRENT A. WEAVER**  
Precinct No. 2

// ABSENT  
\_\_\_\_\_  
**COMMISSIONER EVERETTE D. ALFRED**  
Precinct No. 4





# STATE OF TEXAS COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS, THAT MICHAEL D. DOGUET AND LISA L. DOGUET, BY POWER OF ATTORNEY, OWNERS OF 159.023 ACRES OF LAND OUT OF THE A HOTCHKISS LEAGUE, ABSTRACT NO. 31 IN JEFFERSON COUNTY, BEING RECORDED IN COUNTY CLERK'S FILE NO. 2018034130 OF THE OFFICIAL PUBLIC RECORDS OF JEFFERSON COUNTY TEXAS, AND BEING CALLED 159.023 ACRES, DOES HEREBY SUBDIVIDE SAID 159.023 ACRES TO BE KNOWN AS 4.501 ACRES OF LAND CALLED COVE AT TAYLOR LANDING III IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND DO HEREBY DEDICATE TO THE PUBLIC THE STREETS AND EASEMENTS SHOWN HEREON.

MICHAEL D. DOGUET, OWNER

# STATE OF TEXAS COUNTY OF JEFFERSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MICHAEL D. DOGUET KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS OWNER AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SUCH CAPACITY AS THE ACT AND DEED OF SAID CORPORATION FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2020.

NOTARY PUBLIC IN AND FOR JEFFERSON COUNTY

# CITY PLANNING AND ZONING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THE CITY OF PORT ARTHUR, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION.

IN TESTIMONY WHEREOF, WITNESS THE OFFICIAL SIGNATURE OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PORT ARTHUR, TEXAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2020.

CHAIRMAN

ATTESTED AND APPROVED FOR ADMINISTRATION:

SECRETARY

# COUNTY DIRECTOR OF ENGINEERING CERTIFICATE

I, \_\_\_\_\_, INTERIM COUNTY ENGINEER OF JEFFERSON COUNTY, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE COMMISSIONER'S COURT OF JEFFERSON COUNTY, TEXAS.

DIRECTOR OF ENGINEERING

SUBSCRIBED AND SWORN TO BEFORE ME BY STEVEN STAFFORD AND GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

# SURVEYORS CERTIFICATE

THAT I, MITCHELL LEE BRACKIN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WILL BE PLACED UNDER BY PERSONAL SUPERVISION IN ACCORDANCE WITH THE RULES FOR LAND SUBDIVISION BY JEFFERSON COUNTY, TEXAS.

MITCHELL LEE BRACKIN  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5163

SUBSCRIBED AND SWORN TO BEFORE ME BY MITCHELL LEE BRACKIN AND GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: \_\_\_\_\_ (DATE)

# CERTIFICATE OF COUNTY APPROVAL STATE OF TEXAS JEFFERSON COUNTY

APPROVED BY THE COMMISSIONER'S COURT OF JEFFERSON COUNTY, TEXAS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2019, AUTHORIZING THE FILING FOR RECORD OF THIS PLAT. JEFFERSON COUNTY ASSUMES NO OBLIGATION FOR THE MAINTENANCE OF STREETS/ROADS, DRAINAGE, OR ANY OTHER IMPROVEMENTS.

COMMISSIONER, PRECINCT 1  
JEFFERSON COUNTY, TEXAS

COMMISSIONER, PRECINCT 2  
JEFFERSON COUNTY, TEXAS

COMMISSIONER, PRECINCT 3  
JEFFERSON COUNTY, TEXAS

COMMISSIONER, PRECINCT 4  
JEFFERSON COUNTY, TEXAS

COUNTY JUDGE  
JEFFERSON COUNTY, TEXAS

# CERTIFICATE OF RECORDING

I, \_\_\_\_\_, COUNTY CLERK OF JEFFERSON COUNTY, TEXAS DO HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR REGISTRATION IN MY OFFICE ON \_\_\_\_\_, 2020, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. RECORDED IN FILE # \_\_\_\_\_, JEFFERSON COUNTY OFFICIAL PUBLIC RECORDS. WITNESS MY HAND AND SEAL OF OFFICE AT \_\_\_\_\_ THE DAY AND DATE LAST ABOVE WRITTEN.

COUNTY CLERK  
JEFFERSON COUNTY, TEXAS

BY: \_\_\_\_\_, DEPUTY

RESTRICTIONS RECORDED: \_\_\_\_\_

# A PRELIMINARY PLAT of THE COVE AT TAYLOR LANDING III

**LOTS 1 to 32, BLOCK 1**  
BEING A 4.501 ACRE SUBDIVISION  
OUT OF THE 159.023 ACRE  
A. HOTCHKISS LEAGUE ABSTRACT No. 31  
JEFFERSON COUNTY, TEXAS  
BEING DEVELOPED BY:  
MICHAEL D. DOGUET & LISA L. DOGUET  
OCTOBER 2020

**Fittz & Shipman**  
INC.

Consulting Engineers and Land Surveyors  
1405 CORNERSTONE COURT, BEAUMONT, TEXAS  
(409) 832-7238 FAX (409) 832-7303  
T.B.P.E. FIRM #1160 • T.X.L.S. FIRM #100186

**Jefferson County Historical Commission  
2021 – 2022 Appointees**

<b>Jay Camp</b>	<b>6175 Navajo Trail</b>	<b>Beaumont, TX 77708</b>
<b>Theresa Goodness</b>	<b>985 19<sup>th</sup> Street</b>	<b>Beaumont, TX 77706</b>
<b>Kate Hambright</b>	<b>7 Cheska Hollow</b>	<b>Beaumont, TX 77706</b>
<b>Bruce A. Hamilton</b>	<b>7730 Chelsea Place</b>	<b>Beaumont, TX 77706</b>
<b>Brenda Jackson</b>	<b>6580 Windwood Lane</b>	<b>Beaumont, TX 77706</b>
<b>Steven P. Lewis</b>	<b>540 Campus Street</b>	<b>Beaumont, TX 77705</b>
<b>Les McMahan</b>	<b>8031 Chimney Rock Court</b>	<b>Port Arthur, TX 77642</b>
<b>Linda McMahan</b>	<b>8031 Chimney Rock Court</b>	<b>Port Arthur, TX 77642</b>
<b>Doug Porter</b>	<b>1102 Green Meadow Street</b>	<b>Beaumont, TX 77706</b>
<b>Paul Prosperie</b>	<b>P. O. Box 2078</b>	<b>Nederland, TX 77627</b>
<b>Lynn Simon</b>	<b>2555 Goliad Street</b>	<b>Beaumont, TX 77701</b>
<b>Don Smart</b>	<b>P. O. Box 591</b>	<b>Hardin, TX 77561</b>
<b>Jen Trenbeath</b>	<b>6260 Cotton Lane</b>	<b>Beaumont, TX 77706</b>





# Resolution

STATE OF TEXAS

§  
§  
§

COMMISSIONERS COURT

COUNTY OF JEFFERSON

OF JEFFERSON COUNTY, TEXAS

**BE IT REMEMBERED** at a meeting of Commissioners Court of Jefferson County, Texas, held on the 26th day of January, 2021, on motion made by Michael Sinegal, Commissioner of Precinct No. 3, and seconded by Brent Weaver, Commissioner of Precinct No. 2, the following Resolution was adopted:

**WHEREAS, *Kenneth Richardson***, has devoted 11 years and 6 months of his life serving the people of Jefferson County with pride and professionalism; and

**WHEREAS, *Kenneth Richardson***, has dedicated his talents and services as a Corrections Officer in the Correctional Facility for the Jefferson County Sheriff's Office; and

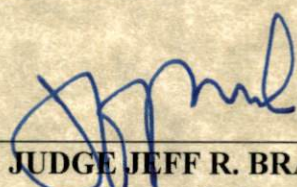
**WHEREAS, *Kenneth Richardson***, has pledged his services as a Corrections Officer, working in the dorms and in K-9 at the Jefferson County Correctional Facility, which includes following policies, procedures, rules and regulations for the care and custody of inmates, also responding to emergency situations involving the evacuation of inmates for hurricanes, for the Jefferson County Sheriff's Office; and

**WHEREAS**, through hard work and commitment to excellence, ***Kenneth Richardson***, has earned the respect of his colleagues and the citizens of Jefferson County; and

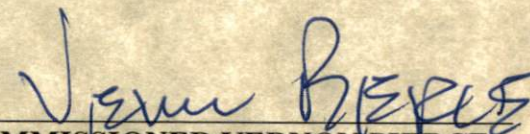
**WHEREAS**, having made a significant contribution to the Jefferson County Sheriffs' Office, ***Kenneth Richardson***, is recognized for his unselfish devotion to the common good and welfare of the citizens of Jefferson County; and will always be missed by his friends and co-workers.

**NOW THEREFORE, BE IT RESOLVED** that the Jefferson County Commissioners Court does hereby honor and commend ***Kenneth Richardson***, for his dedicated service as a valuable employee of Jefferson County and wishes him well in his retirement.

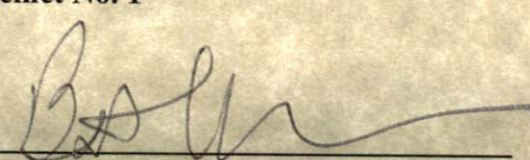
SIGNED this 26th day of January, 2021.

  
JUDGE JEFF R. BRANICK  
County Judge



  
COMMISSIONER VERNON PIERCE  
Precinct No. 1

  
COMMISSIONER MICHAEL S. SINEGAL  
Precinct No. 3

  
COMMISSIONER BRENT A. WEAVER  
Precinct No. 2

// ABSENT  
COMMISSIONER EVERETTE D. ALFRED  
Precinct No. 4





NAME

AMOUNT

CHECK NO.

TOTAL

## PAYROLL FUND

JEFFERSON CTY. ASSN. OF D.S. & C.O.  
JEFFERSON CTY. TREASURER - HEALTH  
JEFFERSON CTY. TREASURER - PAYROLL  
JEFFERSON CTY. TREASURER - PAYROLL  
JEFFERSON CTY. TREASURER - TCDRS

20.00 479253  
349.71 479254  
2,003.93 479255  
544.12 479256  
689.39 479257

3,607.15\*\*  
3,607.15\*\*\*



**Special, January 26, 2021**

There being no further business to come before the Court at this time,  
same is now here adjourned on this date, January 26, 2021