CITY OF DEER PARK

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1702nd REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD IN CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON FEBRUARY 6, 2018, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON	MAYOR
THANE HARRISON	COUNCILMAN
TOMMY GINN	COUNCILMAN
BILL PATTERSON	COUNCILMAN
RON MARTIN	COUNCILMAN
RAE A. SINOR	COUNCILWOMAN

OTHER CITY OFFICIALS PRESENT:

JAMES STOKES	CITY MANAGER
GARY JACKSON	ASSITANT CITY MANAGER
SHANNON BENNETT	CITY SECRETARY
JIM FOX	CITY ATTORNEY

PLANNING AND ZONING COMMISSION PRESENT:

DANIELLE WENDEBURG	CHAIRMAN
RAY BALUSEK	COMMISSIONER
DOUGLAS COX	COMMISSIONER

1. MEETING CALLED TO ORDER – Mayor Mouton called the meeting to order at 7:30 p.m.

2. INVOCATION – The invocation was given by Councilman Patterson.

3. PLEDGE OF ALLEGIANCE – Councilman Martin led the Pledge of Allegiance to the United States Flag and the Texas Flag.

4. PRESENTATION OF THE ART PARK PLAYERS CHICAGO PRODUCTION – Theater Supervisor, Susan Melee, thanked the Council and the Mayor along with City Manager Jay Stokes and Assistant Gary Jackson, for the opportunity to present the performers from the Chicago Production, performing the song, All That Jazz.

5. JOINT PUBLIC HEARING ON THE REQUEST OF THE CITY OF DEER PARK TO AMEND THE CODE OF ORDINANCES APPENDIX A-ZONING, SECTION 14.02 TO ALLOW HELIPORTS OR HELISTOPS AS AN ACCESSORY USE FOR MEDICAL FACILITIES IN THE HIGHWAY ZONING DISTRICT AND Y AMENDING SECTION 10.3 ZONING MATRIX BY ADDING "S" TO HIGHWAY ZONING DISTRICTS FOR HELISTOPS AND REQUIRING A SPECIFIC USE PERMIT – Public Hearing was opened by City Secretary reading the Notice of Public Hearing. (Exhibit A)

   Mayor Mouton opened the hearing on behalf of the City Council.

   Chairman Wendeburg opened the hearing on behalf of the Planning and Zoning Commission.

   Mayor Mouton called for those persons desiring to speak in favor of the request.

   a. Randy Stockwell, " I have been to Planning and Zoning for this and to City Council and it has been discussed for a number of months. The ordinances did not allow for a heliport which we are planning to build on East Boulevard, north of 13th Street, right by the soccer fields. We have been going through the process to get the heliports approved for our use at the facility and the City's use. If there is an accident, life flights can land right there free of charge. The industries will also be able to use it."

   Mayor Mouton called for those desiring to speak against the request. No one spoke.

   The hearing was closed by Mayor Mouton on behalf of the City Council and Chairman Wendeburg on behalf of the Planning and Zoning Commission.

6. AWARDING BID FOR DEER PARK 2016 STREET IMPROVEMENTS PROJECT – Motion was made by Councilwoman Sinor and seconded by Councilman Martin to award the bid for the Deer Park 2016 Street Improvements Project to D&W Contractors, Inc., low bidder, in the amount of $5,111,954.00. Motion carried 6 to 0.

7. CONSENT CALENDAR – Motion was made by Councilman Harrison and seconded by Councilman Ginn to approve the consent calendar as follows:

   a. Approval of minutes of workshop meeting on January 2, 2018.

   b. Approval of minutes of regular meeting on January 2, 2018.

   c. Approval of tax refund to GSL Constructors in the amount of $1,758.24 due to a value decrease granted by Harris County Appraisal District.

   d. Approval of tax refund to Texas Steam Equipment in the amount of $774.61 due to a value decrease granted by Harris County Appraisal District.

   e. Approval of tax refund to National Tax Search in the amount of $1,587.52 due to a value decrease granted by Harris County Appraisal District.

f. Approval of tax refund to Charles Robert Bishop III and Pamela Kay Bishop in the amount of $1,913.55 due to an over-65 exemption granted by Harris County Appraisal District.

g. Approval of the sale of surplus of furniture and fixtures from the current City Hall building.

h. Approval of balancing Change Order and acceptance of completion of the 10" force main replacement at HCFCD B112-00-00.

i. Acceptance of completion of the Water Plant Maintenance Building.

j. Acceptance of completion of the Water and Sewer Plant Maintenance Building.

k. Acceptance of the Deer Park Community Development Corporation's quarterly report for the period of October 1, 2017- December 31, 2017.

Motion carried 6 to 0.

8. CONSIDERATION OF AN ACTION ON A REFERRAL TO THE PLANNING AND ZONING COMMISSION FOR A SPECIFIC USE PERMIT FROM THE REQUEST OF HEALING MINISTRIES OF THE LORD JESUS CHRIST TO OPERATE A CHURCH AT 5014 LUELLA AVENUE – Motion was made by Councilman Martin and seconded by Councilman Patterson to refer the request of the Healing Ministries of the Lord Jesus Christ to the Planning and Zoning Commission for a Specific Use Permit request to operate a church at 5014 Luella Avenue. Motion carried 6 to 0.

9. CONSIDERATION OF AND ACTION ON THE APPROVAL OF THE CHANGE ORDERS OF THE MAXWELL ADULT CENTER – Motion was made by Councilman Ginn and seconded by Councilman Patterson to approve the Change Order of the Maxwell Adult Center. Motion carried 6 to 0.

10. CONSIDERATION OF AND ACTION ON ACCEPTING THE AMENDMENT FOR ADDITIONAL PROFESSIONAL SERVICES FROM HALFF AND ASSOCIATES UTILIZING THE SUBCONTRACTOR BRINKLEY SARGENT WIGINTON ARCHITECTS – Motion was made by Councilman Martin and seconded by Councilwoman Sinor to accept the amendment for the additional professional services from Halff and Associates utilizing the subcontractor Brinkley Sargent Wiginton Architects. Motion carried 6 to 0.

11. CONSIDERATION OF AND ACTION ON AN AGREEMENT WITH HOUSTON COMMUNITY NEWSPAPERS – Motion was made by Councilman Patterson and seconded by Councilman Harrison to enter into an agreement with Houston Community Newspaper. Motion carried 6 to 0.

12. CONSIDERATION OF AND ACTION ON A PURCHASE FROM VAUGHT SERVICES, LLC. THROUGH THE TIPS (COOPERATIVE PURCHASING SYSTEM) TO PERFORM SANITARY REHABILITATION OF DEER MEADOWS SECTION 3, GREENWAY PLAZA AND MEADOWS VILLAGE SUBDIVISIONS – Motion was made by Councilman

Patterson and seconded by Councilwoman Sinor to approve the purchase from Vaught Services LLC, through the TIPS System, to perform sanitary rehabilitation of Deer Meadows Section 3, Greenway Plaza and Meadows Village Subdivisions. Motion carried 6 to 0.

13. CONSIDERATION OF AND ACTION ON THE PURCHASE OF BLEACHERS FROM GT GRANDSTANDS VIA BUY BOARD FOR GIRLS SOFTBALL RENOVATIONS TYPE B PROJECTS – Motion was made by Councilman Harrison and seconded by Councilman Ginn to approve the purchase of bleachers from GT Grandstands for the Girls Softball Renovations Type B Project. Motion carried 6 to 0.

14. CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION IN THE NATIONAL COOPERATIVE PURCHASING ALLIANCE, A NATIONAL COOPERATIVE PROCUREMENT ORGANIZATION – Motion was made by Councilman Ginn and seconded by Councilman Patterson to approve Resolution No. 2018-02, captioned as follows:

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, AUTHORIZING THE CITY OF DEER PARK'S PARTICIPATION IN THE NATIONAL COOPERATIVE PURCHASING ALLIANCE, A NATIONAL COOPERATIVE PROCUREMENT ORGANIZATION.

Motion carried 6 to 0.

15. CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION ON NPPGOV, THE GOVERNMENT DIVISION OF NATIONAL PURCHASING PARTNERS, A NATIONAL COOPERATIVE PROCUREMENT ORGANIZATION – Motion was made by Councilman Martin and seconded by Councilwoman Sinor to approve Resolution 2018-03, captioned as follows:

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, AUTHORIZING THE CITY OF DEER PARK PARK'S PARTICIPATION IN NPPGOV, A NATIONAL COOPERATIVE PROCUREMENT ORGANIZATION.

Councilwoman Sinor asked, "Are these new groups for these last two items?"

Assistant City Manager, Gary Jackson responded, "Yes, these are new groups. We belong to about 15 - 17 different groups. The chairs are being purchased from the previous cooperative group and the slide for the Parks and Recreation pool is from this cooperative group."

Motion carried 6 to 0.

16. AWARDING BID FOR A FIBERGLASS WATERSLIDE SYSTEM AT THE DOW PARK SWIMMING POOL – Motion was made by Councilwoman Sinor and seconded by Councilman Patterson to award the fiberglass waterslide system to Vortex USA in the amount of $125,762.70. Motion carried 6 to 0.

17. CONSIDERATION OF AND ACTION ON THE PURCHASE OF FURNITURE (COUNCIL CHAMBERS AUDIENCE SEATING) FOR THE NEW CITY HALL FACILITY THROUGH THE NATIONAL COOPERATIVE PURCHASING ALLIANCE COOPERATION PURCHASING AGREEMENT – Motion was made by Councilman Ginn and seconded by Councilman Patterson to approve the purchase of furniture (Council Chambers audience seating) for the new City Hall facility through the National Cooperative Purchasing Alliance cooperative purchasing agreement. Motion carried 6 to 0.

18. CONSIDERATION OF AND ACTION ON AN ORDINANCE GRANTING A PIPELINE FRANCHISE TO FLST LLC FOR A SIXTEEN INCH (16") ETHANE PIPELINE (SECOND READING) – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilwoman Sinor to adopt on second reading Ordinance No. 3951, captioned as follows:

    AN ORDINANCE GRANTING FLST LLC D/B/A LAVACA LST PIPELINE LLC, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS PROPOSED 16-INCH PIPELINE, WHICH WILL BE INSTALLED IN THE CENTERPOINT ENERGY CORRIDOR AND CROSSES, SPENCER HIGHWAY, PASADENA BOULEVARD, SAN AUGUSTINE, EAST BOULEVARD, SOUTH BATTLEGROUND ROAD AND OLD UNDERWOOD ROAD, IN THE CITY OF DEER PARK, HARRIS COUNTY, TEXAS, FOR THE PURPOSE OF TRANSPORTING ETHANE; PROVIDING FOR A FEE; PROVIDING AN INDEMNITY CLAUSE; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; RESERVING ALL POWERS OF REGULATION; PROVIDING FOR ACCEPTANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY BY FINE OF UP TO $2,000.00 FOR EACH DAY'S VIOLATION.

    Motion carried 6 to 0.

19. CONSIDERATION OF AND ACTION ON AN ORDINANCE APPOINTING A MEMBER TO THE CRIME CONTROL PREVENTION DISTRICT BOARD OF DIRECTORS – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilwoman Sinor to adopt on first and final reading Ordinance No. 3954, captioned as follows:

    AN ORDINANCE APPOINTING A BOARD MEMBER (Smokey Mather) OF THE CRIME CONTROL AND PREVENTION DISTRICT OF THE CITY OF DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.

    Motion carried 6 to 0.

20. CONSIDERATION OF AND ACTION ON AMENDING ORDINANCE SECTION 66-173 SCHEDULE A: STOPS SIGNS – After a proposed ordinance was read by caption, motion was made by Councilman Harrison and seconded by Ginn to adopt on first and final reading

Ordinance No.3955, captioned as follows:

> AN ORDINANCE AMENDING SECTION 66-173, SCHEDULE A, OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, PROVIDING FOR AMENDED TRAFFIC REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

21. CONSIDERATION OF AND ACTION ON AN ORDINANCE REGARDING THE DEER PARK ELEMENTARY SCHOOL SIGNS ON LUELLA AVENUE – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Sinor to adopt on first and final reading Ordinance No.3956, captioned as follows:

> AN ORDINANCE AMENDING SECTION 66-178, SCHEDULE G, OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, PROVIDING FOR AMENDED TRAFFIC REGULATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

22. CONSIDERATION OF AND ACTION ON THE RESULTS OF THE JOINT PUBLIC HEARING AND A PROPOSED ORDINANCE ON THE REQUEST OF THE CITY OF DEER PARK TO AMEND THE CODE OF ORDINANCE APPENDIX A - ZONING, SECTION 14.02 TO ALLOW HELIPORTS OR HELISTOPS AS AN ACCESSORY USE FOR MEDICAL FACILITIES IN THE HIGHWAY ZONING DISTRICT AND BY AMENDING SECTION 10.03 ZONING MATRIX BY ADDING "S" TO HIGHWAY ZONING DISTRICTS FOR HELISTOPS AND REQUIRING A SPECIFIC USE PERMIT AWARDING BID FOR THE DEVELOPMENT OF THE SOCCER FIELDS – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilman Patterson to adopt on first and final reading Ordinance 3957, captioned as follows:

> AN ORDINANCE OF THE CITY COUNCIL OF DEER PARK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF DEER PARK BY AMENDING APPENDIX A-ZONING, SECTION 14.02, HELIPORTS AND HELISTOPS, BY ALLOWING HELIPORTS AND HELISTOPS AS AN ACCESSORY USE FOR MEDICAL FACILITIES LOCATED IN HIGHWAY DISTRICTS, AND BY AMENDING SECTION 10.03 ZONING MATRIX BY ADDING "S" TO HIGHWAY DISTRICTS FOR HELISTOPS AND REQUIRING A SPECIFIC USE PERMIT; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

23. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING A GENERAL ELECTION ON MAY 5, 2018 TO ELECT THREE COUNCILMEMBERS – After a proposed ordinance was read by caption, motion was made by Councilman Harrison and seconded by Councilman Ginn to adopt on first and final reading Ord inance No. 3958, captioned as follows:

> AN ORDINANCE CALLING A GENERAL ELECTION IN THE CITY OF DEER PARK, TEXAS ON MAY 5, 2018, FOR THE ELECTION OF THREE COUNCILMEMBERS, POSITIONS FOUR, FIVE AND SIX; ESTABLISHING THE ELECTION PRECINCT FOR SUCH ELECTION; THE POLLING PLACE THEREFORE; NAMING THE ELECTON AND JUDGES AND PROVIDING FOR THREE COMPENSATION; PROVIDING NOTICE; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

24. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET FOR THE BAYOU BEND/ CLAUDE BURGESS RESTROOM ADDITION - After a proposed ordinance was read by caption, motion was made by Councilwoman Sinor and seconded by Councilman Patterson to adopt on first and final reading Ordinance No. 3959, captioned as follows:

> AN ORDINANCE AMENDING THE 2017-2018 BUDGET FOR THE CITY OF DEER PARK, TEXAS AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

25. ADJOURN – Mayor Mouton adjourned the meeting at 8:02 p.m.

ATTEST:

Shannon Bennett, TRMC
City Secretary

APPROVED:

Jerry Mouton
Mayor