



Sherry Garrison, Council Position 1
Thane Harrison, Council Position 2
Tommy Ginn, Council Position 3

Bill Patterson, Council Position 4
Ron Martin, Council Position 5
Rae A. Sinor, Council Position 6

James Stokes, City Manager
Gary Jackson, Assistant City Manager

Jerry Mouton Jr., Mayor

Shannon Bennett, TRMC, City Secretary
Jim Fox, City Attorney

Ordinance # 3406

Resolution # 2017-15

CALL TO ORDER

The 1690th meeting of the Deer Park City Council.

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Recognition of Deer Park High School Baseball Team - 2017 6A State Champions

[PRE 17-020](#)

Recommended Action: Wild applause!

Department: Office of the Mayor and City Council

AWARDING/REJECTING BIDS

2. Awarding bid for a one-year supply of garbage bags.

[BID 17-036](#)

Recommended Action: Award bid to Houston Poly Bag for 22,000 rolls of garbage bags at a unit price of \$8.79/roll for a total cost of \$193,380.00.

Department: Finance

Attachments: [Bid Tab - Refuse Bags](#)
[Form 1295](#)

CONSENT CALENDAR

3. Approval of minutes of workshop meeting of June 20, 2017.

[MIN 17-074](#)

Recommended Action: Approval

Attachments: [CC_MW_062017](#)

The Mission of the City of Deer Park is to deliver exemplary municipal services that provide the community a high quality of life consistent with our history, culture and unique character.

4. Approval of minutes of regular meeting of June 20, 2017.

[MIN 17-075](#)

Recommended Action: Approval

Attachments: [CC MR 062017](#)

5. Approval of minutes of joint meeting of June 26, 2017.

[MIN 17-084](#)

Recommended Action: Approval

Attachments: [CC MJointS 062617](#)

6. Acceptance of Quarterly Investment Report (January - March 2017).

[RPT 17-039](#)

Recommended Action: Accept the Investment Report for the Quarter Ended March 31, 2017.

Department: Finance

Attachments: [2017 2Q Investment Report](#)

7. Acceptance of completion of the Battleground Golf Course Driveway Improvements.

[ACT 17-032](#)

Recommended Action: Staff recommends acceptance of the project.

Department: Public Works

Attachments: [Final Invoice from RAC Industries](#)

COMMENTS FROM AUDIENCE

The Mayor shall call upon those who have registered to address Council in the order registered. There is a five minute time limit . A registration form is available in the Council Chambers and citizens must register by 7:25 p.m.

NEW BUSINESS

8. Consideration of and action on ratifying the application submission and approving the acceptance of a grant through the Bulletproof Vest Partnership Grant Act.

[GRT 17-007](#)

Recommended Action: Recommend City Council approval for the Police Department to apply for and accept a grant through the Bulletproof Vest Partnership Grant Act.

9. Consideration of and action on purchasing the services of Vaught Services, LLC to perform the Erin Glen Ct. Storm Sewer Upsizing Project.

[PUR 17-014](#)

Recommended Action: Staff recommends council approve this purchase.

The Mission of the City of Deer Park is to deliver exemplary municipal services that provide the community a high quality of life consistent with our history, culture and unique character.

10. Consideration of and action on ratification of a purchase from SKE, Inc., through the Buy Board Cooperative Purchasing Program to perform the relocation of sanitary and water utilities on Ivy Street.

[CON 17011](#)

Recommended Action: Staff recommends Council approval to purchase the services of SKE, Inc. through the Buy Board

Department: Public Works

Attachments: [Contract Ivy](#)

ADJOURN

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
July 7, 2017

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 72 hours prior to any meeting. Please contact the City Secretary's office at 281.478.7248 for further information.

The Mission of the City of Deer Park is to deliver exemplary municipal services that provide the community a high quality of life consistent with our history, culture and unique character.



Legislation Details (With Text)

File #: PRE 17-020 **Version:** 2 **Name:**
Type: Presentation **Status:** Agenda Ready
File created: 7/5/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Recognition of Deer Park High School Baseball Team - 2017 6A State Champions
Sponsors: Office of the Mayor, City Council
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/11/2017	2	City Council		

Recognition of Deer Park High School Baseball Team - 2017 6A State Champions

Summary:

Mayor Mouton and the City Council will recognize the Deer Park High School Baseball Team, winners of the 2017 UIL 6A State Championship.

Fiscal/Budgetary Impact:

N/A

Wild applause!



Legislation Details (With Text)

File #: BID 17-036 **Version:** 1 **Name:**
Type: Bids **Status:** Agenda Ready
File created: 6/14/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Awarding bid for a one-year supply of garbage bags.
Sponsors: Finance
Indexes:
Code sections:
Attachments: [Bid Tab - Refuse Bags Form 1295](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Awarding bid for a one-year supply of garbage bags.

Summary:

The City advertised for and received bids for garbage bags to be purchased for FY 2017-2018. In recent years, the City has ordered the annual quantity of bags to be received in a single delivery. Bags come 52 per roll and historically, at the beginning of the fiscal year, residents have received two (2) rolls of bags at no charge. Currently the City has approximately 9,900 active residential water accounts. The City would need 19,800 rolls available in October for each resident to receive two (2) rolls of garbage bags. Residents have the option to purchase additional rolls of bags throughout the year if supplies are available.

The City received seven (7) bids and the bid tabulation is attached showing all bids received (note: an eighth bid was received after the submission deadline and was not opened). As stated under the General Conditions of Bidding, the City "reserves the right to consider and make awards of bids on articles of similar nature that will in all respects serve the purpose for which the purchase is being made." Additionally, the City "reserves the right to be the sole judge as to whether such articles will serve the purpose." Further, the City "reserves the right to accept or reject in whole or in part any bid submitted or to waive any informality for the best interest of the City" and the City "reserves the right to award the bid to the lowest responsible bidder...who provides [goods] at the best value for the City", which may include quality and the extent to which the goods meet the City's needs.

The bid specifications for these bags clearly state "The plastic bags shall be a 40 gallon size... [and the] preferred overall bag size is 40" x 46". The bags are to have a "flat sealed bottom." The specifications further state: "The bags shall be folded in half with the roll being 20 inches long."

The lowest bidder and the second lowest bidder have been disqualified for not meeting the bid specifications.

Interboro Packaging Corporation, the lowest bidder, is disqualified because the sample product does not meet the bid specifications as (1) they have a star bottom and not a flat sealed bottom, and (2) they are thinner than specified. Note: this

company has previously been made aware of the fact that their bags do not conform to the bid specifications, but they continue to submit the same bags each year.

Aleph Industry, the second lowest bidder, is disqualified because the sample product does not meet the bid specifications as they are smaller than the overall bag size of 40" x 46". The bags do have a flat sealed bottom, but are tapered such that the width of the bag at the bottom is about half the width of the bag at the top. The length of the bag is 44" to 45" depending on whether the bag is measured along the side or down the middle. Either measurement falls short of the specifications.

Houston Poly Bag is the lowest "responsible" bidder. The bags meet the size and thickness specifications and as such, meet the City's requirements as set forth in the bid documents.

The City currently has approximately 1,900 garbage bags in storage and recommends the purchase of a quantity of 22,000 rolls for the 2017-2018 fiscal year to accommodate existing and anticipated new accounts as well as additional sales of bags throughout the year. The lowest responsible bid for 22,000 rolls is Houston Poly Bag at a unit price of \$8.79/roll for a total cost of \$193,380.00.

Current Vendor: Houston Poly Bag

\$8.92/roll for 16,000 rolls

Fiscal/Budgetary Impact:

Garbage bags are budgeted in the Sanitation Department, Account No. 10-402-4309, Garbage Bags.

Award bid to Houston Poly Bag for 22,000 rolls of garbage bags at a unit price of \$8.79/roll for a total cost of \$193,380.00.

BID – REFUSE BAGS
Bid Date 06.12.17

Name Contractor/Bidder	18,000 Rolls	20,000 Rolls	22,000 Rolls	24,000 Rolls
Dispose N Save 5 Getzil Berger Blvd. #102 Monroe, NY 10950	Unit Price: \$10.18 Total Bid: \$183,240.	Unit Price: \$10.14 Total Bid: \$202,800.	Unit Price: \$10.12 Total Bid: \$222,640.	Unit Price: \$10.10 Total Bid: \$242,400.
Interboro Packaging Corporation 114 Bracken Road Montgomery, NY 12549	Unit Price: \$8.34 Total Bid: \$150,120.	Unit Price: \$8.32 Total Bid: \$166,400.	Unit Price: \$8.24 Total Bid: \$181,280.	Unit Price: \$8.22 Total Bid: \$197,280.
Houston Poly Bag 11726 Holderrieth Road Tomball, TX 77375\	Unit Price: \$8.79 Total Bid: \$158,220.	Unit Price: \$8.79 Total Bid: \$175,800.	Unit Price: \$8.79 Total Bid: \$193,380.	Unit Price: \$8.67 Total Bid: \$208,080.
Central Poly Corp. 2400 Bedle Pl Linden, NJ 07036	Unit Price: \$8.90 Total Bid: \$160,200.	Unit Price: \$8.80 Total Bid: \$176,000.	Unit Price: \$8.77 Total Bid: \$192,940.	Unit Price: \$8.77 Total Bid: \$210,480.
Waste Zero, Incorporated 8540 Colonnade Center Drive Raleigh, NC 27615	Unit Price: \$10.40 Total Bid: \$187,200.	Unit Price: \$10.36 Total Bid: \$207,200.	Unit Price: \$10.32 Total Bid: \$227,040.	Unit Price: \$10.28 Total Bid: \$246,720.
Dyna Pak Corp. 112 Helton Drive Lawrenceburg, TN 38464	NO BID Unit Price: \$ Total Bid: \$	NO BID Unit Price: \$ Total Bid: \$	NO BID Unit Price: \$ Total Bid: \$	NO BID Unit Price: \$ Total Bid: \$
Aleph Industry 106 Lexington Avenue Brooklyn, NY 11238	Unit Price: \$8.40 Total Bid: \$151,200.	Unit Price: \$8.40 Total Bid: \$168,000.	Unit Price: \$8.40 Total Bid: \$184,800.	Unit Price: \$8.40 Total Bid: \$201,600.

*HAYDEN TWIST DRILL & TOOL BID NOT ACCEPTED. SHIPPED TO WRONG ADDRESS AND NOT RECEIVED BY 2 P.M.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Houston Poly Bag I Ltd.
Tomball, TX United States

Certificate Number:
2017-232893

Date Filed:
07/06/2017

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Deer Park Texas

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

B161803
Garbage Bags

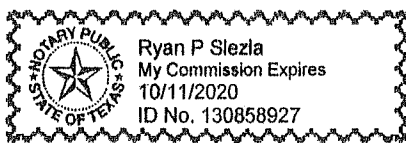
4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Brent Owen

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said JAMES BRENT OWEN, this the 6th day of JULY, 2017, to certify which, witness my hand and seal of office.

Ryan Slezia

Signature of officer administering oath

Ryan Slezia

Printed name of officer administering oath

NOTARY PUBLIC

Title of officer administering oath



Legislation Details (With Text)

File #: MIN 17-074 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 6/26/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Approval of minutes of workshop meeting of June 20, 2017.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MW_062017](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Approval of minutes of workshop meeting of June 20, 2017.

Summary:

Fiscal/Budgetary Impact:

None

Approval

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

A WORKSHOP MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON JUNE 20, 2017, BEGINNING AT 6:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

OTHER CITY OFFICIALS PRESENT:

JAY STOKES	CITY MANAGER
GARY JACKSON	ASSISTANT CITY MANAGER
SHANNON BENNETT	CITY SECRETARY
JIM FOX	CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the workshop to order at 6:30 p.m.
2. PRESENTATION OF THE CONSTRUCTION AND COMPLETION TO THE TIFFANY MANOR PARK PLAYGROUND EQUIPMENT – Interim Parks and Recreation Director, Charlie Sandberg provided a video of the construction of Tiffany Manor Park.
3. UPDATE ON INFORMATION TECHNOLOGY SECURITY INITIATIVES – Daryl Denzer, I.T. Technical Support Supervisor gave an overview on Information Technology Security Initiatives and highlighted secure staff training, security assessment and penetration testing. (Exhibit A1-A2)
4. PRESENTATION AND DISCUSSION ON A RECOMMENDATION FROM STAFF TO CHANGE THE CITY OF DEER PARK'S SEAL – I.T. Director James Lewis advised the Council of a resolution to change the City's seal. Staff believes there is an opportunity to evolve the City's branding by making a small revision to the current City of Deer Park's seal. The change is replacing "Deer Park" from the bottom of the insignia with the date "1892". It not only removes the redundant information, but brings consistency across City banding. The current use of the City of Deer Park's official seal is limited to stamp impressions on official City Council business. Staff would continue to use the seal as a

stamp but also expand its use as a backdrop image in the New City Hall Council Chambers to represent official City Council business.

5. DISCUSSION OF ISSUES RELATED TO THE AUDIO-VIDEO EQUIPMENT IN NEW CITY HALL COUNCIL CHAMBERS – I.T. Director James Lewis advised the Council, in January, Council approved the consulting agreement with Ford AV for the design of audio-video systems in the New City Hall Council Chambers. The Staff has worked with Ford AV along the architect, general contractor, electrical contractor and department directors to determine the audio-visual needs and goals of the City. Ford AV has submitted a proposal for the installation of these specifications. As part of their proposed contract, Ford AV will provide an additional two (2) year warranty three (3) year total warranty on all hardware and three (3) years of preventative maintenance. This project funded out of PEG funds. The total cost of the project is \$288,876.12. The budget for this project is \$488,269.59.

Business Analyst and Project Manager Paul Kurtz commented, “The Audio-Video equipment for the Council Chambers will include a large video wall behind the dais for presentations, which will remain viewable to the audience, even when high levels of ambient light are present. Each member of the Council will have a 21.5” display for viewing presentations or the agenda, as well as microphones, dedicated speaker with volume control and headphone port. The presentation lectern will contain equipment allowing a presenter to display a computer image or physical document and annotation technology to allow the presenter to mark-up their presentation/map etc. It will be mobile and can utilize any one of three positions in the chambers for presentation or training purposes. A studio space will be located in the back of the Council Chambers and be furnished with a console that includes a built-in equipment rack with space for various production equipment. Equipment will include, but not be limited to, a DVD/Blu-Ray player, servers for video production, as well as sound mixing and recording equipment. Recessed, multi-color LED fixtures will be installed above the windows, visible during the evening hours to passing traffic. Colors can be changed to reflect holidays such as Christmas and Fourth of July or in observance of other events. The entire system can be controlled by touch-panels utilized by the Assistant City Manager and City Secretary. The Council Chambers Executive Board Room will have a large wall mounted display for presentations with various multi-media connections for presenters. In the lobby of City Hall, two displays will be installed for viewing DPTV, historic photos, as well as current and upcoming events.”

6. DISCUSSION OF ISSUES RELATED TO AUDIO-VIDEO EQUIPMENT IN THE NEW CITY HALL - I.T. Director James Lewis advised the Council in January, the Council approved the consulting agreement with Ford AV for the design of audio-video systems in the New City Hall. Staff has worked with Ford AV along the architect, general contractor, electrical contractor and department directors to determine the audio-visual needs and goals of the City. Ford AV has submitted a proposal for the installation of these specifications. As part of their proposed contract, Ford AV will provide an additional two (2) year warranty, three (3) year total warranty on all hardware and three (3) years of preventative maintenance. Pricing contained in the contract is under a BuyBoard Contract #482-15 as outlined in Exhibit A-4 of the contract. This project to be funded out of

construction funds #90-105-4902. Total cost of the project is \$169,702.74. The budget for this project is \$196,000.00.

Business Analyst and Assistant Project Manager Nathan Bell commented, “The City Hall design includes four conference rooms. Each room will have a large display offer the user a simplified connection interface for presentations, including HDMI and wireless connectivity and each room will also be controlled via a push button control system. Various City Hall offices will be equipped with eight displays connected to the internal cable distribution system. Some offices will also have computer connectivity for presentations. A sound masking system will be installed throughout City Hall, providing speech privacy to the Human Resource and Finance areas. Additional coverage will include the front lobby, main hallway and Public Works. A utility payment drive-thru system will be installed, giving staff the ability to talk to the customers from the window or their desks. The camera system will allow staff to visually monitor the drive-thru.”

City Manager Jay Stokes commented, “I appreciate our I.T Department. We have a great I.T. Department.”

7. DISCUSSION OF ISSUES RELATED TO A REQUEST FROM WAL-MART REGARDING THE USE OF EXTERNAL SHIPPING CONTAINERS – City Manager Jay Stokes advised the Council this is a continuation of the discussion regarding Wal-Mart’s request for use of seasonal external shipping containers. You may recall, this item came before Council during your Workshop on March 21, 2017. At present, the City’s Zoning Ordinance prohibits the use of shipping containers for external storage in a commercial zoning district. Historically, the only exception to this rule is the Public Works Director, on occasion, has granted commercial businesses the ability to use one (1) shipping container for external storage during the Holiday Season. This generally entailed the unit arriving no earlier than mid-October and being removed by mid-January. Since the presentation to Council on March 21st, Staff and Wal-Mart officials have engaged in additional dialogue regarding Wal-Mart’s request. Wal-Mart officials have indicated during the peak shopping season of September – December, they need 40 containers. Should Council desire to create a zoning change, which will allow for the temporary use of outdoor storage containers, staff recommends the following:

- Containers may only be placed behind the business’ primary structure.
- Containers be fenced and screened from public view.
- Containers may not be stacked on top of one another.
- Containers may not be placed in an area marked as a parking lot.
- Containers must be placed on an approved impervious surface (concrete or asphalt) and may not be placed on grass, dirt, crushed rock, etc.
- Containers be allowed for no more than 90 days and no more than once per year.
- Containers be permitted through the Public Works Department and/or approved via a Specific Use Permit.
- Placement of the containers must meet all applicable permanent construction setback requirements of the Commercial Zoning District.

Wal-Mart seems agreeable to each of these items. Additional items were addressed to include the permissibility of temporary fencing vs. requiring permanent fencing and the

need to amend the zoning ordinance to allow for storage within an external shipping container. Presently, this is not allowed by Code.

Consensus of the Council is to move forward with the drafting and ordinance with the provisions discussed.

8. DISCUSSION OF AND ISSUES RELATED TO THE RAE LYNN PERFORMANCE CONTRACT FOR NOVEMBER 4, 2017 – Gary Jackson, Assistant City Manager, advised Council at the May 16th Regular Meeting, City Council reviewed the Public Engagement Offer and Artist Production Rider Appendix from Raelynn’s management group and authorized a few deletions to the proposed Rider, authorized a performance fee of \$25,000 and made two additional requests. First, in the event of a cancellation by the performer, the City would be reimbursed for any funds advanced. Second, in the event of a rainout, the performer would agree to some indoor alternative, such as an acoustic performance or a meet-and-greet. The performer’s management group has submitted a proposed contract. Certain sections have been highlighted as follows: Compensation. \$30,000 has been requested. Council previously authorized \$25,000; Section 5: Payment Terms: 2 advance deposits of \$15,000 each are requested; Addendum A: Section G: Producer’s Right to cancel. Producer may cancel without liability by giving at least 30 days’ notice. If this occurs, Producer must return any deposits received in connection with this engagement. Section L. Insurance/Indemnification. \$5M General Liability limit is being requested. The City’s current General Liability limit is \$1M. Raising our General Liability from \$1M to \$5M would cost \$3,752 annually. This is not recommended. We are obtaining a quote on a single event coverage which is anticipated to be considerably less expensive. Under indemnification, the term “gross” before negligence should be deleted. Section Q. Dispute Resolution. Should be in Harris County, Texas instead of Nashville, Tennessee. City Attorney, Jim Fox has reviewed the indemnification provision.

Councilwoman Sinor, asked, “When will we know?”

Mr. Jackson, commented, “We thought we would have one earlier from one of our local agents, but they were confused about the coverage. I would think it would not be higher than the \$3,700.”

Councilman Ginn, asked, “Is the five million general liability pretty standard for something like this?”

Mr. Jackson, commented, “This would be considered a proprietary function as opposed to a governmental type function. It’s happening away from our facility and on another piece of property. In the industry for a large scale function, that is not unreasonable.”

Councilwoman Garrison, asked, “I’m ok with that, but I have a question about the rider that was sent to us on May 16th. Is that going to be tacked on the contract and is that going to add a lot of extra expense? How many security people do they have? The equipment that is

being provided by the gentleman from San Jacinto College, I'm talking about all that, has not been firmed up yet as far as cost."

Mr. Jackson, commented, "My understanding from Mr. Culp is that has all been agreed to. The only thing that didn't meet the budgetary requirements was the \$30,000 instead of the \$25,000. The budget they had for the sound equipment and for the stage, my understanding from Mr. Culp is that all were in agreement."

Councilwoman Garrison, commented, "But we don't have anything in agreement yet."

Mr. Jackson, commented, "They sent back the original rider. Mr. Culp, with Councils approval had the Mayor's signature on what Council approved and sent back with the riders. They sent the original rider, not the one marked up by us. They told him verbally they were in agreement with those issues. We sent back that rider previously approved in May back to them, along with this contract."

Councilwoman Garrison, commented, "I just want to make sure because there may be some additional cost."

Mr. Jackson, commented, "There are certain things like the food that, Mr. Culp said has been compted by a local hotel, but I have not personally talked to the hotel."

Councilwoman Garrison, commented, "That concerns me a little bit. I wish Mr. Culp were here and I would like to see it in writing. We have a 125th meeting next week so maybe by then we will have something definite."

Mr. Stokes, commented, "Then again, we are turning in the same rider that Council approved."

Councilwoman Garrison, commented, "Ok, I think this will be a good thing. I'm just concerned about the cost."

9. ADJOURN – Mayor Mouton adjourned the workshop meeting at 7:22 p.m.

Shannon Bennett, TRMC
City Secretary

Jerry Mouton
Mayor



Legislation Details (With Text)

File #: MIN 17-075 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 6/26/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Approval of minutes of regular meeting of June 20, 2017.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MR_062017](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Approval of minutes of regular meeting of June 20, 2017.

Summary:

Fiscal/Budgetary Impact:

None

Approval

CITY OF DEER PARK

76-129

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1689TH 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 JUNE 20, 2017, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON
SHERRY GARRISON
THANE HARRISON
TOMMY GINN
BILL PATTERSON
RON MARTIN
RAE A. SINOR

MAYOR
COUNCILWOMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILWOMAN

OTHER CITY OFFICIALS PRESENT:

JAY STOKES
GARY JACKSON
SHANNON BENNETT
JIM FOX

CITY MANAGER
ASSISTANT CITY MANAGER
CITY SECRETARY
CITY ATTORNEY

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. PROCLAMATION FOR SAFETY WEEK- Mayor Mouton presented a proclamation to the Safety Committee, Bill Philibert, Tiffany McGallian, Kevin Workman, Daryl Denzer, Melissa Martinez and declaring June 26-30, 2017 as City of Deer Park Safety Week.
5. PRESENTATION OF THE ANNUAL FOURTH OF JULY EVENT – Charlie Sandberg, Interim Director of Parks and Recreation presented a video to discuss the annual Fourth of July Event.
6. AWARDING BID FOR LEASE PURCHASING FINANCING OF A 2017 SAF-T-LINER C2 251 SCHOOL BUS FOR THE ALL-STAR AFTERSCHOOL PROGRAM – Motion was made by Councilwoman Garrison and seconded by Councilman Patterson to award the lease purchase financing to City National Bank for a 3 year term.

Councilman Patterson, asked, “Are we replacing an existing school bus?”

Gary Jackson, Assistant City Manager, answered, “Yes.”

Councilwoman Garrison, asked, “Which one is being replaced?”

Gary Jackson, answered, “The oldest one we have.”

Motion carried 7 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 joint meeting on June 6, 2017.
- b. Approval of minutes of workshop meeting on June 6, 2017.
- c. Approval of minutes of regular meeting on June 6, 2017.
- d. Approval of tax refund to Charlotte C. Rau in the amount of \$571.70 due to a homestead exemption, an over-65 exemption, and a freeze change granted by Harris County Appraisal District.
- e. Approval of tax refund to T. W. Malone, LLC in the amount of \$2,676.24 due to a value decrease granted by Harris County Appraisal District.
- f. Approval of tax refund to T. W. Malone, LLC in the amount of \$779.21 due to value decrease granted by Harris County Appraisal District.
- g. Approval of tax refund to Wells Fargo Home Mortgage in the amount of \$702.04 due to a homestead exemption, an over-65 exemption, and a freeze change granted by Harris County Appraisal District.
- h. Approval of tax refund to Polly Jean Weaver in the amount of \$660.18 due to a value decrease granted by Harris County Appraisal District.
- i. Approval of tax refund to Charlotte C. Rau in the amount of \$623.28 due to a homestead exemption, an over-65 exemption, and a value decrease granted by Harris County Appraisal District.
- j. Approval of tax refund to Corelogic in the amount of \$508.78 due to a homestead exemption granted by Harris County Appraisal District.
- k. Approval of tax refund to Charlotte C. Rau in the amount of \$630.13 due to a homestead exemption, an over-65 exemption, and a freeze change granted by Harris County Appraisal District.

1. Authorization to advertise and seek bids for lane striping on Center St. & East Blvd.

Motion carried 7 to 0.

8. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE AUDIO-VIDEO EQUIPMENT FROM FORD AUDIO - VIDEO SYSTEMS, LLC. THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM FOR NEW CITY HALL BUILDING - Motion was made by Councilwoman Garrison and seconded by Councilman Patterson to approve the purchase of audio-video equipment from Ford Audio - Video Systems, LLC through the Buy Board Cooperative Purchasing Program for New City Hall building. Motion carried 7 to 0.
9. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE AUDIO-VIDEO EQUIPMENT FROM FORD AUDIO - VIDEO SYSTEMS, LLC THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM FOR NEW CITY HALL COUNCIL CHAMBERS – Motion was made by Councilman Martin and seconded by Councilman Patterson to approve the purchase of audio-video equipment from Ford Audio - Video Systems, LLC through the Buy Board Cooperative Purchasing Program for New City Hall Council Chambers. Motion carried 7 to 0.
10. CONSIDERATION OF AND ACTION ON THE RENEWAL OF AN AGREEMENT WITH THE AMERICAN NATIONAL RED CROSS FOR SPECIALIZED TRANSPORTATION SERVICES - Motion was made by Councilman Ginn and seconded by Councilman Patterson to approve the renewal of an agreement with the American National Red Cross for Specialized Transportation Services. Motion carried 7 to 0.
11. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE FROM SKE, INC. THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM TO PERFORM THE REHABILITATION OF WATERLINES ON ESTATE DRIVE, KINGSDALE DRIVE, AND STEPHANIE DRIVE - Motion was made by Councilwoman Garrison and seconded by Councilman Patterson to approve the purchase from SKE, Inc. through the Buy Board Cooperative Purchasing Program to perform the Rehabilitation of Waterlines on Estate Drive, Kingsdale Drive, and Stephanie Drive. Motion carried 7 to 0.
12. CONSIDERATION OF AND ACTION ON THE RAELYNN PERFORMANCE CONTRACT FOR NOVEMBER 4, 2017 - Motion was made by Councilwoman Sinor and seconded by Councilman Martin to authorize the contract with edits approved by Council and Staff and previous rider to the RaeLynn contract for Deer Park's 125th Anniversary on November 4, 2017.

Motion carried 7 to 0.
13. CONSIDERATION OF AND ACTION ON THE YOUTH SPORTS ORGANIZATION UTILIZATION AGREEMENT WITH DEER PARK GIRLS SOFTBALL FOR 2017 Motion was made by Councilwoman Garrison and seconded by Councilman Martin to approve the Youth Sports Organization Utilization Agreement with Deer Park Girls Softball for 2017. Motion carried 7 to 0.

14. CONSIDERATION OF AND ACTION ON A RESOLUTION TO UPDATE THE CITY OF DEER PARK'S SEAL - Motion was made by Councilwoman Garrison and seconded by Councilman Ginn to approve Resolution No. 2017-13 captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK TEXAS ADOPTING A NEW OFFICIAL CITY SEAL FOR THE CITY OF DEER PARK, TEXAS.

Motion carried 7 to 0.

15. CONSIDERATION OF AND ACTION ON A RESOLUTION TO UPDATE THE CITY OF DEER PARK EMPLOYEE PERSONNEL MANUEL - Motion was made by Councilman Martin and seconded by Councilman Patterson to approve Resolution No. 2017-14 captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK REVISING THE PERSONNEL POLICY MANUAL OF THE CITY OF DEER PARK BY DELETING PERSONNEL MANUAL CREDIT UNION SECTION ON PAGE 5, ADDING PERSONNEL MANUAL POLICY WELCOME SECTION TO PAGE 4, AMENDING CLASSIFICATION AND COMPENSATION TO CHAPTER IV, AMENDING SUNDRY MATTERS TO CHAPTER 11, AND AMENDING APPOINTMENT AND TERMINATION TO CHAPTER 2.

Motion carried 7 to 0.

16. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE INDUSTRIAL DISTRICT AGREEMENT WITH THE LUBRIZOL CORPORATION – After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Patterson to adopt on first and final reading Ordinance No. 3904, captioned as follows:

AN ORDINANCE APPROVING AN AMENDED INDUSTRIAL DISTRICT AGREEMENT; PROVIDING FOR EXECUTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

17. CONSIDERATION OF AND ACTION ON AN ORDINANCE CONFIRMING THE APPOINTMENT OF CHARLIE SANDBERG AS PARKS AND RECREATION DIRECTOR – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt on first and final reading Ordinance No. 3905, captioned as follows:

AN ORDINANCE APPROVING THE APPOINTMENT OF CHARLIE SANDBERG AS PARKS AND RECREATION DIRECTOR OF THE CITY OF

DEER PARK, TEXAS; PROVIDING FOR COMPENSATION; REPEALING
ORDINANCES IN CONFLICT; AND DECLARING AN EMERGENCY.

Charlie Sandberg, Director of Parks and Recreation, commented “I stand before you so humbled and excited. Thank you very much for this opportunity. I just can’t believe that all these years and hard work. I am elated and I would like to thank a lot of people. First Mayor and Council, thank you very much. Mr. Jay and Mr. Gary, I know it was a difficult decision, but you hired the best man. I promise you and I will give you one hundred percent every day. I would like to introduce my family. My wife of 28 years, Marie; my daughter Aless, she is a teacher in Crosby; my grandson Ledger, my son-in-law had to work tonight and my son is in New Orleans and headed to Florida. I would also like to thank the Parks Commission. They were very supportive. In this time, they consistently were supporting me and I am glad they are here tonight. The Directors, I can’t tell you how much I appreciate your support and working with me. To the best boss I ever had, the best mentor, Scott Swigert. Last and not least, my second family, the wonderful Staff of the Parks and Recreation Department. Thank you very much for all the support and love that you gave me and I appreciate it. Let’s give one hundred percent every single day.”

Motion carried 7 to 0.

18. ADJOURN – Mayor Mouton adjourned the meeting at 7:52 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton
Mayor



Legislation Details (With Text)

File #: MIN 17-084 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 7/6/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Approval of minutes of joint meeting of June 26, 2017.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MJointS_062617](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Approval of minutes of joint meeting of June 26, 2017.

Summary:

Fiscal/Budgetary Impact:

None

Approval

CITY OF DEER PARK
EAST SAN AUGUSTINE STREET
DEER PARK, TEXAS 77536

CC 76-
CDC 1 -

Minutes of

A JOINT SPECIAL MEETING OF THE CITY COUNCIL AND THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION OF THE CITY OF DEER PARK HELD AT CITY HALL, 710 EAST SAN AUGUSTINE, DEER PARK, TEXAS ON JUNE 26, 2017, AT 5:30 P.M. WITH THE FOLLOWING MEMBERS PRESENT:

CITY OFFICIALS PRESENT:

JERRY MOUTON, JR	MAYOR
SHERRY GARRISON	COUNCILMANWOMAN
THANE HARRISON	COUNCILMAN
TOMMY GINN	COUNCILMAN
BILL PATTERSON	COUNCILMAN
RON MARTIN	COUNCILMAN
RAE A. SINOR	COUNCILWOMAN

DEER PARK COMMUNITY DEVELOPMENT CORPORATION PRESENT:

T.J. HAIGHT	CHAIRMAN
GEORGETTE FORD	MEMBER
DOUG BURGESS	MEMBER
SCOTT SOTELO	MEMBER
SUE MAUK	MEMBER
JEFF LAWOTHER	MEMBER

OTHER CITY OFFICIALS PRESENT:

JAY STOKES	CITY MANAGER
GARY JACKSON	ASSISTANT CITY MANAGER
SHANNON BENNETT	CITY SECRETARY

1. CALL TO ORDER – Mayor Mouton called the Joint Special Meeting to order on behalf of the City Council and T.J Haight called the meeting to order on behalf of the Deer Park Community Development Corporation at 5:30 p.m.
2. THE DEER PARK CITY COUNCIL AND THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION WILL DISCUSS ISSUES RELATING TO REVISED CHANGE ORDER NO. 1 TO THE CONTRACT WITH SOUTH POOLS FOR THE DOW

PARK PAVILION PROJECT – Parks and Recreation Director Charlie Sandberg advised the City Council and the Community Development Corporation that on June 6, 2017, the Deer Park City Council and the Deer Park Community Development Corporation (DPCDC) conducted a joint workshop to discuss DPCDC projects. One of the projects discussed was the Dow Park Pavilion with a change order in the amount of \$68,000 to the contract with South Pools. At a special DPCDC Board of Directors Meeting on June 6, 2017 following the joint workshop, the DPCDC Board voted to recommend that the City Council approve Change Order No. 1 to the contract with South Pools in the amount of \$68,000. Following the joint workshop and the Special DPCDC meeting, the City Council approved Change Order No. 1 to the contract with South Pools. Also, the City Council approved a budget amendment in the amount of \$68,000 to fund the change order. Since that time, after further review and discussion with the City's consultant (Halff Associates) and the contractor (South Pools), it was determined that certain revisions were needed to this change order which will need to be reviewed and considered by both the DPCDC Board and City Council. A revised Change Order No. 1 (adding \$12,484.60 for a total amount of \$80,484.60) to the contract with South Pools for the Dow Park Pavilion project has been submitted by the contractor and is recommended for approval.

Councilwoman Sinor asked, "When does the work start?"

Mr. Sandberg answered, "He has agreed to the work. He has signed off on the expectation of cost. We are going to start back if approved on July 5th and the contractor has stated it will take two months to complete the project."

Councilman Patterson asked, "How was the additional cost left out?"

Kristen Lablanc of Halff Associates commented, "It wasn't as if things were necessarily left out. There were some plan revisions made after the plans were approved requested from City Staff."

Mayor asked for an explanation of the change order.

City Manager Jay Stokes commented, "The way the footings overlapped was not going to work, so the project had to be redesigned for proper footings."

3. THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION WILL CONSIDER AND TAKE ACTION ON THE REVISED CHANGE ORDER NO. 1 TO THE CONTRACT WITH SOUTH POOLS FOR THE DOW PARK PAVILION PROJECT – Motion was made by Georgette Ford and seconded by Jeff Lawther to recommend to the City Council to approve the revised Change Order No. 1 to the contract with South Pools for the Dow Park Pavilion Project. Motion carried unanimously.
4. THE DEER PARK CITY COUNCIL WILL CONSIDER AND TAKE ACTION ON THE REVISED CHANGE ORDER NO. 1 TO THE CONTRACT WITH SOUTH POOLS FOR THE DOW PARK PAVILION PROJECT – Motion was made by Councilwoman Sinor and

seconded by Councilman Patterson to approve the revised Change Order No. 1 to the contract with South Pools for the Dow Park Pavilion Project. Motion carried unanimously.

5. ADJOURN – Mayor Mouton adjourned the meeting on behalf of the City Council and President Haight adjourned the meeting on behalf of the DPCDC at 5:35 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton
Mayor

T.J. Haight, Chairman
Deer Park Community Development
Corporation



Legislation Details (With Text)

File #: RPT 17-039 **Version:** 1 **Name:**
Type: Report **Status:** Agenda Ready
File created: 6/14/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Acceptance of Quarterly Investment Report (January - March 2017).
Sponsors: Finance
Indexes:
Code sections:
Attachments: [2017 2Q Investment Report](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Acceptance of Quarterly Investment Report (January - March 2017).

Summary: Chapter 2, Administration, Article VII (Finance), All of Division 2 (Investment Policy), Section 2-274 Reporting, of the Code of Ordinances of the City of Deer Park, requires the Investment Officers to prepare and submit to City Council an investment report no less than on a quarterly basis. This requirement is in compliance with the Texas Public Funds Investment Act, V.T.C.A., Government Code Ch. 2256 as amended (the "Act"). The City's Investment Officers have worked with the Investment Advisor to prepare and have signed this report for the quarter ended March 31, 2017.

At March 31, 2017, all City funds were held in various depository accounts or in accounts at TexPool or TexSTAR, which are local government investment pools authorized by the Investment Policy. Both pools continue to maintain their AAAM rating by Standard & Poor's, which is the highest rating a local government investment pool can achieve.

Cash and investment activity included on the attached report is summarized below:

Cash in Wells Fargo (Depository Bank)	\$ 21,408,691
Money Market Accounts	12,030,324
Certificates of Deposit	19,298,917
CDARS Program	5,056,995
TexPool	36,341,025
TexSTAR	28,268,871
Total Book Value	\$122,404,823

Working with the City's investment advisor, the City has diversified the portfolio during the past year with current

investments of \$36,386,236 in various depository banks through money market accounts, certificates of deposit, and CDARS (Note: CDARS is network of financial institutions that provides an investment opportunity for deposits in excess of the standard FDIC insurance maximum of \$250,000. One bank acts as custodian for the CDARS deposits at the various other member banks. As an example, a \$1,000,000 deposit is placed with seven banks, and all balances are covered by FDIC insurance. For the banks, this is cheaper than holding collateral if the single deposit exceeded \$250,000. Then, rather than administering seven separate investments and receiving seven separate account statements for the investment, the City receives one consolidated account statement from the custodian bank.)

The depository investments are earning between 0.55% and 1.35%. Comparatively, rates in the investment pools averaged 0.5668% and 0.5751% for the quarter in TexPool and TexSTAR, respectively. The new depository investments have increased investment earnings, and the City continues to review and evaluate investment opportunities for safety, liquidity, and yield.

At the end of the second quarter of Fiscal Year 2016-2017, investments in TexPool totaled \$36,341,025, which is a net increase of \$2,749,591 from the previous quarter. This net increase includes \$49,591 of interest earnings for the quarter and \$2,700,000 representing the proceeds of the Series 2017 Certificates of Obligation issued for the Deer Park Community Development Corporation for renovations to the girls' softball complex, one of the Type B projects approved by voters in May 2015. The TexPool funds earned an average 0.5668% for the quarter (January - March) or 15.4 basis points higher than the average for the previous quarter (note: a basis point is equal to 1/100 of a percentage point so 0.01 equals 1 basis point). At March 31, 2017, TexPool was earning 0.6767%.

Investments in TexSTAR at the end of the second quarter of the fiscal year totaled \$28,268,871, which is a net increase of \$40,102 from the previous quarter. This net increase represents interest earnings for the quarter. The TexSTAR funds earned an average 0.5751% for the quarter or 13.6 basis points higher than the average for the previous quarter. At March 31, 2017, TexSTAR was earning 0.7093%.

After two years of steady declines, interest rates have been trending upward including an increase in the Fed funds rate, still shown as a range and currently 0.75% - 1.00%. As a result of market changes, the City continues to see higher interest earnings. The 0.63% weighted average yield for the second quarter ended March 31, 2017 is slightly above the 0.60% average yield of the three-month U.S. Treasury Bill for the quarter. The City's weighted average yield for the fiscal year-to-date at March 31, 2017 is 0.52%, which is 12.0 basis points higher than the previous quarter. Currently about 17.5% of the City's portfolio is in cash accounts.

Fiscal/Budgetary Impact:

N/A.

Accept the Investment Report for the Quarter Ended March 31, 2017.



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

March 31, 2017

Prepared by
Valley View Consulting, L.L.C. (v)

To the best of our knowledge, this portfolio and report are in compliance with the investment strategy expressed in Chapter 2, Administration, Article VII, Division 2, Investment Policy of the Code of Ordinances of the City of Deer Park and the Texas Public Funds Investment Act, Government Code Ch. 2256, as amended.

City Manager

Assistant City Manager

Director of Finance

(1) Disclaimer: These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields, and do not account for investment advisor fees.

Strategy Summary

Quarter End Results by Investment Category:

Asset Type	Ave. Yield	March 31, 2017		December 31, 2016	
		Book Value	Market Value	Book Value	Market Value
MMA/NOW	0.41%	\$ 33,439,015.94	\$ 33,439,015.94	\$ 43,032,631.46	\$ 43,032,631.46
LGIPs	0.62%	64,609,895.44	64,609,895.44	61,820,202.81	61,820,202.81
CDs/Securities	0.96%	24,355,911.84	24,355,911.84	16,850,824.00	16,850,824.00
Totals		\$ 122,404,823.22	\$ 122,404,823.22	\$ 121,703,658.27	\$ 121,703,658.27

Current Quarter Average Yield (1)

Total Portfolio 0.63%

Rolling Three Mo. Treas. Yield 0.60%
Rolling Six Mo. Treas. Yield 0.64%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio 0.52%

Rolling Three Mo. Treas. Yield 0.52%
Rolling Six Mo. Treas. Yield 0.57%
Quarter End TexPool Yield 0.54%
Quarter End TexSTAR Yield 0.55%

Quarterly Interest Income \$ 153,497.56 Approximate
Year-to-date Interest Income \$ 261,795.00 Approximate

Note: Bank balances represent pooled cash accounts (General Fund, Accounts Payable and Payroll), plus the CCPD, FCPMMSD, DPCDC, and Series 2002 TWDB accounts. Cash balances are unaudited. Cash balances for the beginning of the fiscal year are restated to reflect bank balances rather than book balances.

(1) Average Yield calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

(2) Fiscal Year-to-Date Average Yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Investment Holdings

March 31, 2017

Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (days)	Yield
Wells Fargo #2800 MMA		0.05%	04/01/17	03/31/17	\$ 16,380,948.67	\$ 16,380,948.67	1.00	\$ 16,380,948.67	1	0.05%
Wells Fargo #9865 MMA		0.09%	04/01/17	03/31/17	1,711,589.28	1,711,589.28	1.00	1,711,589.28	1	0.09%
Wells Fargo #9824 MMA		0.09%	04/01/17	03/31/17	1,619,769.25	1,619,769.25	1.00	1,619,769.25	1	0.09%
Wells Fargo #5314 MMA		0.00%	04/01/17	03/31/17	6.38	6.38	1.00	6.38	1	0.00%
Wells Fargo #6267 MMA		0.05%	04/01/17	03/31/17	1,696,377.79	1,696,377.79	1.00	1,696,377.79	1	0.05%
Green Bank MMA		0.86%	04/01/17	03/31/17	2,008,090.74	2,008,090.74	1.00	2,008,090.74	1	0.86%
NexBank MMA		1.07%	04/01/17	03/31/17	10,022,233.83	10,022,233.83	1.00	10,022,233.83	1	1.07%
TexPool	AAAm	0.62%	04/01/17	03/31/17	36,341,024.80	36,341,024.80	1.00	36,341,024.80	1	0.62%
TexSTAR	AAAm	0.63%	04/01/17	03/31/17	28,268,870.64	28,268,870.64	1.00	28,268,870.64	1	0.63%
Southside Bank CD		0.70%	04/03/17	11/12/15	1,513,221.71	1,513,221.71	100.00	1,513,221.71	3	0.70%
BTB Bank CDARS		0.75%	04/27/17	11/12/15	1,010,409.73	1,010,409.73	100.00	1,010,409.73	27	0.75%
Origin Bank CD		1.25%	05/12/17	11/12/15	245,000.00	245,000.00	100.00	245,000.00	42	1.25%
BTB Bank CDARS		0.80%	06/01/17	11/12/15	1,010,642.47	1,010,642.47	100.00	1,010,642.47	62	0.80%
BTB Bank CDARS		0.85%	06/29/17	11/12/15	1,011,311.48	1,011,311.48	100.00	1,011,311.48	90	0.85%
LegacyTexas Bank CD		0.85%	07/03/17	07/01/16	5,037,557.27	5,037,557.27	100.00	5,037,557.27	94	0.85%
BTB Bank CDARS		0.90%	07/27/17	11/12/15	1,011,980.87	1,011,980.87	100.00	1,011,980.87	118	0.90%
BTB Bank CDARS		0.95%	09/28/17	11/12/15	1,012,650.23	1,012,650.23	100.00	1,012,650.23	181	0.95%
LegacyTexas Bank CD		0.92%	10/02/17	03/02/17	5,000,000.00	5,000,000.00	100.00	5,000,000.00	185	0.92%
Southside Bank CD		0.83%	11/01/17	11/01/16	1,503,138.08	1,503,138.08	100.00	1,503,138.08	215	0.83%
LegacyTexas Bank CD		1.35%	03/01/18	03/15/17	3,000,000.00	3,000,000.00	100.00	3,000,000.00	335	1.35%
Lubbock Nat'l Bank CD		1.20%	04/02/18	03/07/17	3,000,000.00	3,000,000.00	100.00	3,000,000.00	367	1.20%
					<u>\$ 122,404,823.22</u>	<u>\$ 122,404,823.22</u>				
								<u>\$ 122,404,823.22</u>	<u>36</u>	<u>0.63%</u>
									<u>(1)</u>	<u>(2)</u>

(1) **Weighted average life** - For purposes of calculating weighted average life, bank accounts, pools and money market funds are assumed to have a one day maturity.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts, pools and money market funds.

Book Value Comparison

Description	Coupon/ Discount	Maturity Date	December 31, 2016				March 31, 2017			
			Par Value	Book Value	Purchases/ Adjustments	Sales/Adjust/ Call/Maturity	Par Value	Book Value		
Wells Fargo #2800 MMA	0.05%	04/01/17	\$ 28,587,005.32	\$ 28,587,005.32	\$ -	\$(12,206,056.65)	\$ 16,380,948.67	\$ 16,380,948.67		
Wells Fargo #9865 MMA	0.09%	04/01/17	2,545,845.84	2,545,845.84	-	(834,256.56)	1,711,589.28	1,711,589.28		
Wells Fargo #9824 MMA	0.09%	04/01/17	1,672,376.42	1,672,376.42	-	(52,607.17)	1,619,769.25	1,619,769.25		
Wells Fargo #5314 MMA	0.00%	04/01/17	191,701.08	191,701.08	-	(191,694.70)	6.38	6.38		
Wells Fargo #6267 MMA	0.05%	04/01/17	3,025,856.88	3,025,856.88	-	(1,329,479.09)	1,696,377.79	1,696,377.79		
Green Bank MMA	0.86%	04/01/17	2,004,107.36	2,004,107.36	3,983.38	-	2,008,090.74	2,008,090.74		
NexBank MMA	1.07%	04/01/17	5,005,738.56	5,005,738.56	5,016,495.27	-	10,022,233.83	10,022,233.83		
TexPool	0.62%	04/01/17	33,591,434.13	33,591,434.13	2,749,590.67	-	36,341,024.80	36,341,024.80		
TexSTAR	0.63%	04/01/17	28,228,768.68	28,228,768.68	40,101.96	-	28,268,870.64	28,268,870.64		
Southside Bank CD	0.68%	03/01/17	2,013,672.17	2,013,672.17	-	(2,013,672.17)	-	-		
LegacyTexas CD	0.85%	03/15/17	1,506,403.83	1,506,403.83	-	(1,506,403.83)	-	-		
Southside Bank CD	0.70%	04/03/17	1,510,556.51	1,510,556.51	2,665.20	-	1,513,221.71	1,513,221.71		
BTH Bank CDARS	0.75%	04/27/17	1,008,087.13	1,008,087.13	2,322.60	-	1,010,409.73	1,010,409.73		
Origin Bank CD	1.25%	05/12/17	245,000.00	245,000.00	-	-	245,000.00	245,000.00		
BTH Bank CDARS	0.80%	06/01/17	1,009,159.44	1,009,159.44	1,483.03	-	1,010,642.47	1,010,642.47		
BTH Bank CDARS	0.85%	06/29/17	1,009,734.78	1,009,734.78	1,576.70	-	1,011,311.48	1,011,311.48		
LegacyTexas Bank CD	0.85%	07/03/17	5,027,013.85	5,027,013.85	10,543.42	-	5,037,557.27	5,037,557.27		
BTH Bank CDARS	0.90%	07/27/17	1,010,310.38	1,010,310.38	1,670.49	-	1,011,980.87	1,011,980.87		
BTH Bank CDARS	0.95%	09/28/17	1,010,885.91	1,010,885.91	1,764.32	-	1,012,650.23	1,012,650.23		
LegacyTexas Bank CD	0.92%	10/02/17	-	-	5,000,000.00	-	5,000,000.00	5,000,000.00		
Southside Bank CD	0.83%	11/01/17	1,500,000.00	1,500,000.00	3,138.08	-	1,503,138.08	1,503,138.08		
LegacyTexas Bank CD	1.35%	03/01/18	-	-	3,000,000.00	-	3,000,000.00	3,000,000.00		
Lubbock Natl Bank CD	1.20%	04/02/18	-	-	3,000,000.00	-	3,000,000.00	3,000,000.00		
TOTAL			\$ 121,703,658.27	\$ 121,703,658.27	\$ 18,835,335.12	\$(18,134,170.17)	\$ 122,404,823.22	\$ 122,404,823.22		

Market Value Comparison

December 31, 2016						March 31, 2017					
Description	Coupon/ Discount	Maturity Date	Par Value	Market Value		Qtr to Qtr Change	Par Value	Market Value			
Wells Fargo #2800 MMA	0.05%	04/01/17	\$ 28,587,005.32	\$ 28,587,005.32		\$(12,206,056.65)	\$ 16,380,948.67	\$ 16,380,948.67			
Wells Fargo #9865 MMA	0.09%	04/01/17	2,545,845.84	2,545,845.84		(834,256.56)	1,711,589.28	1,711,589.28			
Wells Fargo #9824 MMA	0.09%	04/01/17	1,672,376.42	1,672,376.42		(52,607.17)	1,619,769.25	1,619,769.25			
Wells Fargo #5314 MMA	0.00%	04/01/17	191,701.08	191,701.08		(191,694.70)	6.38	6.38			
Wells Fargo #6267 MMA	0.05%	04/01/17	3,025,856.88	3,025,856.88		(1,329,479.09)	1,696,377.79	1,696,377.79			
Green Bank MMA	0.86%	04/01/17	2,004,107.36	2,004,107.36		3,983.38	2,008,090.74	2,008,090.74			
NexBank MMA	1.07%	04/01/17	5,005,738.56	5,005,738.56		5,016,495.27	10,022,233.83	10,022,233.83			
TexPool	0.62%	04/01/17	33,591,434.13	33,591,434.13		2,749,590.67	36,341,024.80	36,341,024.80			
TexSTAR	0.62%	04/01/17	28,228,768.68	28,228,768.68		40,101.96	28,268,870.64	28,268,870.64			
Southside Bank CD	0.68%	03/01/17	2,013,672.17	2,013,672.17		(2,013,672.17)	-	-			
LegacyTexas CD	0.85%	03/15/17	1,506,403.83	1,506,403.83		(1,506,403.83)	-	-			
Southside Bank CD	0.70%	04/03/17	1,510,556.51	1,510,556.51		2,665.20	1,513,221.71	1,513,221.71			
BTB Bank CDARS	0.75%	04/27/17	1,008,087.13	1,008,087.13		2,322.60	1,010,409.73	1,010,409.73			
Origin Bank CD	1.25%	05/12/17	245,000.00	245,000.00		-	245,000.00	245,000.00			
BTB Bank CDARS	0.80%	06/01/17	1,009,159.44	1,009,159.44		1,483.03	1,010,642.47	1,010,642.47			
BTB Bank CDARS	0.85%	06/29/17	1,009,734.78	1,009,734.78		1,576.70	1,011,311.48	1,011,311.48			
LegacyTexas Bank CD	0.85%	07/03/17	5,027,013.85	5,027,013.85		10,543.42	5,037,557.27	5,037,557.27			
BTB Bank CDARS	0.90%	07/27/17	1,010,310.38	1,010,310.38		1,670.49	1,011,980.87	1,011,980.87			
BTB Bank CDARS	0.95%	09/28/17	1,010,885.91	1,010,885.91		1,764.32	1,012,650.23	1,012,650.23			
LegacyTexas Bank CD	0.92%	10/02/17	-	-		5,000,000.00	5,000,000.00	5,000,000.00			
Southside Bank CD	0.83%	11/01/17	1,500,000.00	1,500,000.00		3,138.08	1,503,138.08	1,503,138.08			
LegacyTexas Bank CD	1.35%	03/01/18	-	-		3,000,000.00	3,000,000.00	3,000,000.00			
Lubbock Nat'l Bank CD	1.20%	04/02/18	-	-		3,000,000.00	3,000,000.00	3,000,000.00			
TOTAL			\$ 121,703,658.27	\$ 121,703,658.27		\$ 701,164.95	\$ 122,404,823.22	\$ 122,404,823.22			

Allocation
March 31, 2017

Book & Market Value

	Total	Pooled Cash	General	Capital Projects & Improvements	Crime Control District	Debt Service Fund
Wells Fargo MMA	\$ 21,408,691.37	\$ 16,380,948.67	\$ -	\$ 6.38	\$ 1,711,589.28	\$ -
Green Bank MMA	2,008,090.74		2,008,090.74			
NexBank MMA	10,022,233.83		10,022,233.83			
TexPool	36,341,024.80		10,809,920.25	21,495,741.38		1,933,036.47
TexSTAR	28,268,870.64		2,516,664.30	25,752,206.34		
04/03/17-Southside Bank CD	1,513,221.71		1,513,221.71			
04/27/17-BTH Bank CDARS	1,010,409.73		1,010,409.73			
05/12/17-Origin Bank CD	245,000.00		245,000.00			
06/01/17-BTH Bank CDARS	1,010,642.47		1,010,642.47			
06/29/17-BTH Bank CDARS	1,011,311.48		1,011,311.48			
07/03/17-LegacyTexas Bank CD	5,037,557.27		5,037,557.27			
07/27/17-BTH Bank CDARS	1,011,980.87		1,011,980.87			
09/28/17-BTH Bank CDARS	1,012,650.23		1,012,650.23			
10/02/17-LegacyTexas Bank CD	5,000,000.00		5,000,000.00			
11/01/17-Southside Bank CD	1,503,138.08		1,503,138.08			
03/01/18-LegacyTexas Bank CD	3,000,000.00		3,000,000.00			
04/02/18-Lubbock Nat'l Bank CD	3,000,000.00		3,000,000.00			
Total	\$ 122,404,823.22	\$ 16,380,948.67	\$ 49,712,820.96	\$ 47,247,954.10	\$ 1,711,589.28	\$ 1,933,036.47

Allocation
March 31, 2017

(Continued)

Book & Market Value

	East Boulevard Fund	Fire Control District	Street Assessments	Water & Sewer	Community Development Corporation	Senior Citizens Fund	Special Revenue (Police)
Wells Fargo MMA	\$ -	\$ 1,619,769.25	\$ -	\$ -	\$ 1,696,377.79	\$ -	\$ -
Green Bank MMA							
NexBank MMA							
TexPool	27,050.50		74,996.38	1,851,928.60		111,852.43	36,498.79
TexSTAR							
04/03/17-Southside Bank CD							
04/27/17-BTH Bank CDARS							
05/12/17-Origin Bank CD							
06/01/17-BTH Bank CDARS							
06/29/17-BTH Bank CDARS							
07/03/17-LegacyTexas Bank CD							
07/27/17-BTH Bank CDARS							
09/28/17-BTH Bank CDARS							
10/02/17-LegacyTexas Bank CD							
11/01/17-Southside Bank CD							
03/01/18-LegacyTexas Bank CD							
04/02/18-Lubbock Nat'l Bank CD							
Total	\$ 27,050.50	\$ 1,619,769.25	\$ 74,996.38	\$ 1,851,928.60	\$ 1,696,377.79	\$ 111,852.43	\$ 36,498.79

Allocation
December 31, 2016

Book & Market Value

	Total	Pooled Cash	General	Capital Projects & Improvements	Crime Control District	Debt Service Fund
Wells Fargo MMA	\$ 36,022,785.54	\$ 28,587,005.32	\$ -	\$ 191,701.08	\$ 2,545,845.84	\$ -
Green Bank MMA	2,004,107.36		2,004,107.36			
NexBank MMA	5,005,738.56		5,005,738.56			
TexPool	33,591,434.13		10,794,642.88	18,767,131.04		1,930,304.59
TexSTAR	28,228,768.68		2,513,094.13	25,715,674.55		
03/01/17-Southside Bank CD	2,013,672.17		2,013,672.17			
03/15/17-LegacyTexas CD	1,506,403.83		1,506,403.83			
04/03/17-Southside Bank CD	1,510,556.51		1,510,556.51			
04/27/17-BTH Bank CDARS	1,008,087.13		1,008,087.13			
05/12/17-Origin Bank CD	245,000.00		245,000.00			
06/01/17-BTH Bank CDARS	1,009,159.44		1,009,159.44			
06/29/17-BTH Bank CDARS	1,009,734.78		1,009,734.78			
07/03/17-LegacyTexas Bank CD	5,027,013.85		5,027,013.85			
07/27/17-BTH Bank CDARS	1,010,310.38		1,010,310.38			
09/28/17-BTH Bank CDARS	1,010,885.91		1,010,885.91			
11/01/17-Southside Bank CD	1,500,000.00		1,500,000.00			
Total	\$ 121,703,658.27	\$ 28,587,005.32	\$ 37,168,406.93	\$ 44,674,506.67	\$ 2,545,845.84	\$ 1,930,304.59

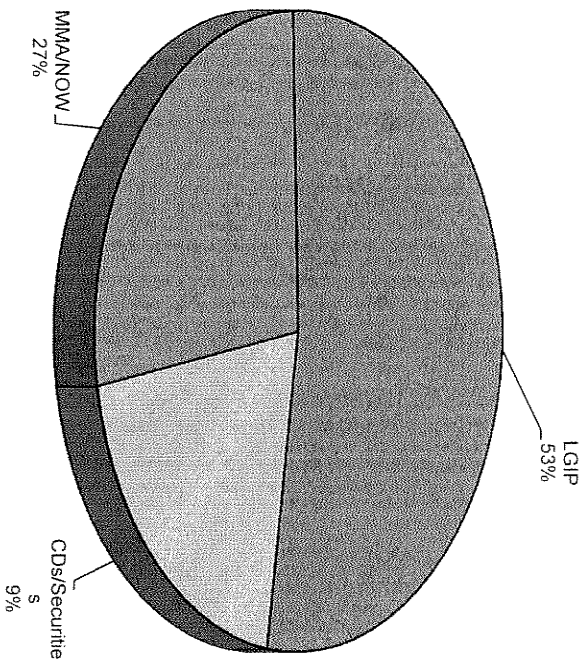
Allocation
December 31, 2016

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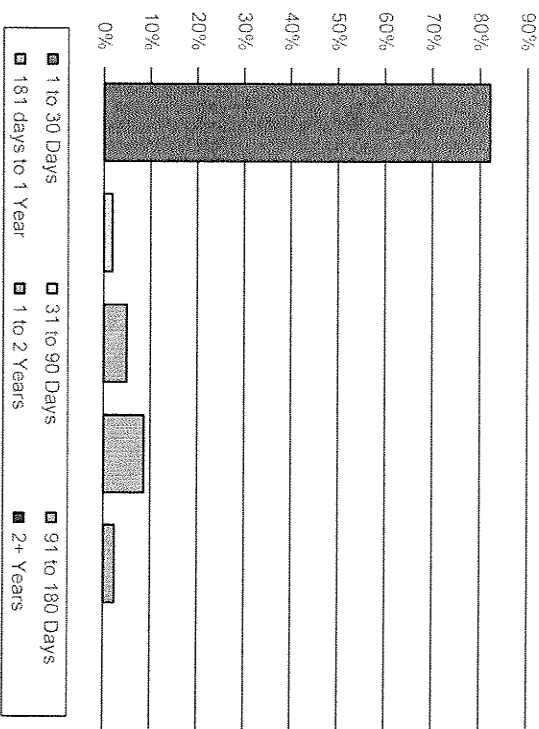
Book & Market Value

	East Boulevard Fund	Fire Control District	Street Assessments	Water & Sewer	Community Development Corporation	Senior Citizens Fund	Special Revenue (Police)
Wells Fargo MMA	\$ -	\$ 1,672,376.42	\$ -	\$ -	\$ 3,025,856.88	\$ -	\$ -
Green Bank MMA							
NexBank MMA							
TexPool	27,012.26		74,890.33	1,849,311.39		111,694.41	36,447.23
TexSTAR							
03/01/17-Southside Bank CD							
03/15/17-LegacyTexas CD							
04/03/17-Southside Bank CD							
04/27/17-BTH Bank CDARS							
05/12/17-Origin Bank CD							
06/01/17-BTH Bank CDARS							
06/29/17-BTH Bank CDARS							
07/03/17-LegacyTexas Bank CD							
07/27/17-BTH Bank CDARS							
09/28/17-BTH Bank CDARS							
11/01/17-Southside Bank CD							
Total	\$ 27,012.26	\$ 1,672,376.42	\$ 74,890.33	\$ 1,849,311.39	\$ 3,025,856.88	\$ 111,694.41	\$ 36,447.23

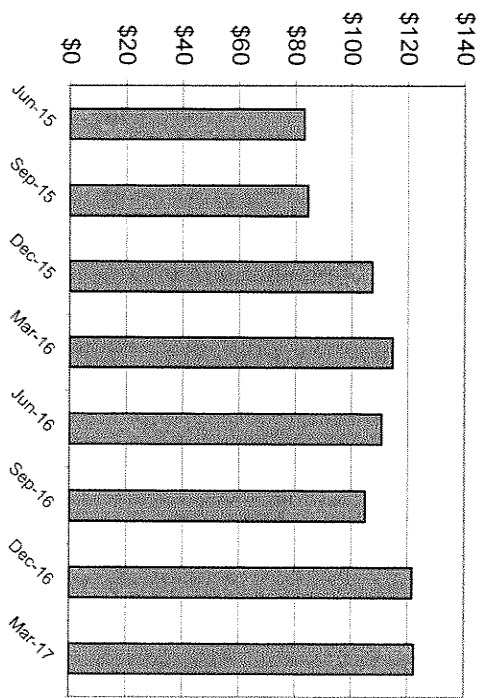
Portfolio Composition



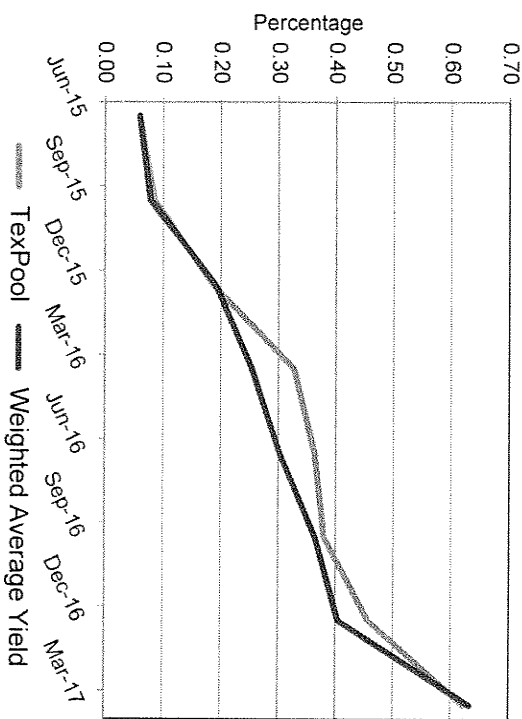
Distribution by Maturity



Total Portfolio (Millions)

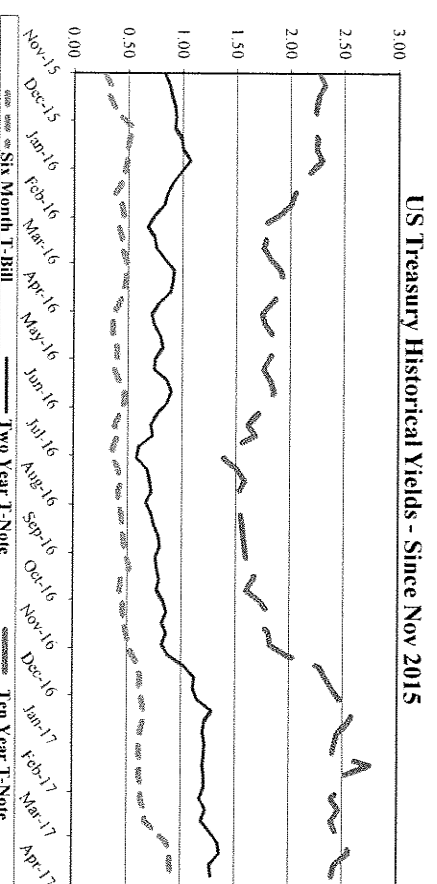
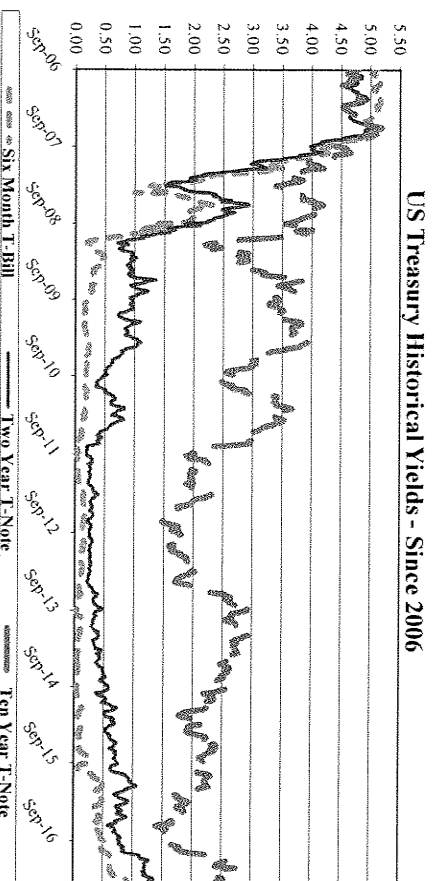
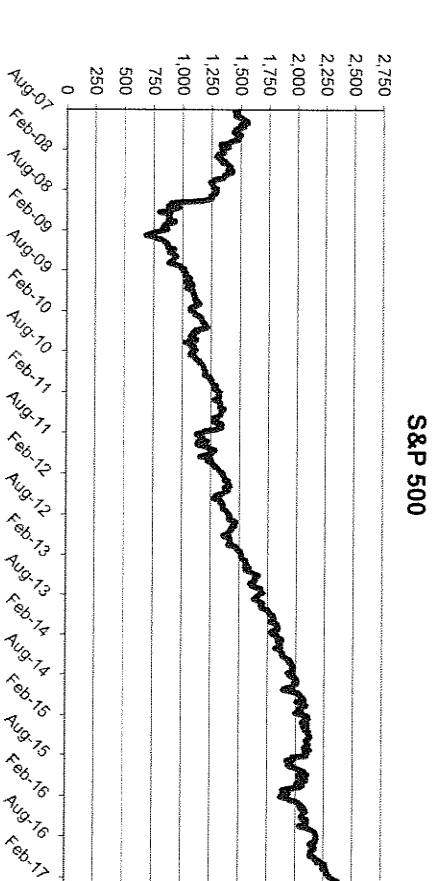
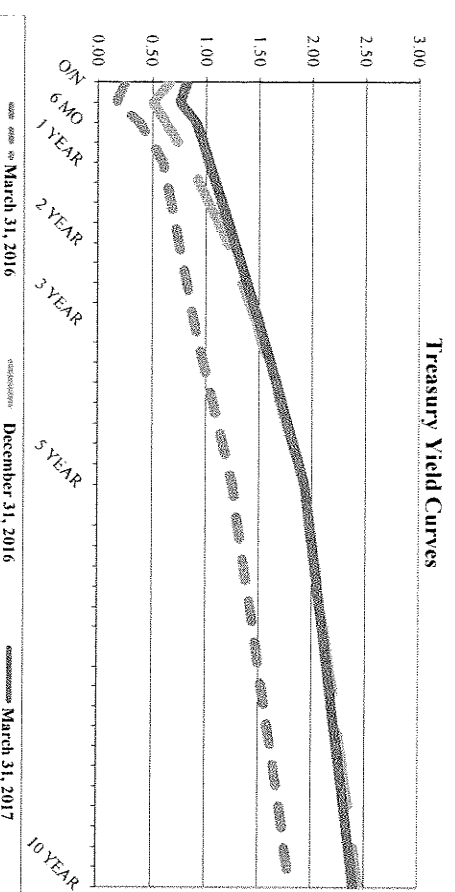


Total Portfolio Performance



Quarter End Book Value

The Federal Open Market Committee (FOMC) raised the Fed Funds target range of 0.75% - 1.00% (actual Fed Funds are trading +/-90 bps). There are mixed anticipations for additional FOMC actions this year. Some look for another rise as early as the June FOMC meeting. Final revision 4th Quarter 2016 GDP increased to 2.1%. US data reflects continuing modest to moderate economic growth. The Stock Markets recorded new highs. Financial Institution deposits (MMAs and CDs) generally offer the best interest earnings opportunity.





Legislation Details (With Text)

File #: ACT 17-032 **Version:** 1 **Name:**
Type: Acceptance **Status:** Agenda Ready
File created: 6/30/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Acceptance of completion of the Battleground Golf Course Driveway Improvements.
Sponsors: Public Works
Indexes:
Code sections:
Attachments: [Final Invoice from RAC Industries](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Acceptance of completion of the Battleground Golf Course Driveway Improvements.

Summary:

The Battleground Golf Course Driveway Improvement Project has been completed by RAC Industries and is now ready for Council acceptance and release of final payment.

As you may recall, the President issued a federal disaster declaration in Harris County, Texas for flooding rains that occurred from May 4-29, 2015. The City of Deer Park suffered damages to infrastructure near the Battleground Golf Course. Specific damages included the damage to a bridge and roadway servicing the course's maintenance facility. The heavy rains and flooding caused erosion which had left the roadway unusable. It was determined that these damages were eligible for FEMA Public Assistance reimbursement coverage due to the Presidential Disaster Declaration.

Cobb, Fendley & Associates Inc., performed the engineering and design for the project that would rehabilitate the Battleground Golf Course Driveway.

RAC Industries was awarded the project based on their low bid of \$207,639.95 the final cost of the project was \$207,991.32.

Fiscal/Budgetary Impact:

This project was funded out of Fund 22

Staff recommends acceptance of the project.



Application and Certificate for Payment

PROJECT: Battleground Golf Course Driveway Improvements
OWNER: City of Deer Park
ADDRESS: 710 E. San Augustine
Deer Park, TX 77536

Estimate: #4

CONTRACT TIME

Notice to Proceed	2/20/2017	Initial Contract Time	75	days
Substantial Completion Date	4/21/2017	Current Approved Extensions	0.00	days
Final Completion Date	5/6/2017	Previous Approved Extensions	0	days
		Total Contract Time	75	days
		Spent Days	64	days
		Days Remaining	11	days
		Rain Days To Date	0	days
		Percent of Contract Time Completed	85%	

PAY PERIOD: From: 3/26/2017 To: 4/25/2017

CHANGE ORDERS

NO.	Date:	Amount:	Days:
1	6/7/2017	\$5,464.50	
Total Change Orders: \$ 5,464.50 0.00			

SUMMARY OF WORK COMPLETED

Original Contract Sum:	\$	207,639.95
Net Change by Change Orders:	\$	5,464.50
Contract Sum to Date:	\$	213,104.45
Work Completed to Date:	\$	207,991.32
Materials on Hand, but Not Installed	\$	-
Total Completed and Stored to Date:	\$	207,991.32
Percent of Work Installed		98%
Retainage, (% of Completed Work:)		0%
Total Retainage:	\$	-
Total Earned Less Retainage:	\$	207,991.32
Less Previous Certificates of Payment:	\$	174,818.36
Current Payment Due:	\$	33,172.96

PAYMENT REVIEW AND APPROVAL

The undersigned Engineer certifies that to the best of his knowledge and belief, the scope of work for which payment is applied for has been satisfactorily completed.

Prepared By: J. Santos Jr. Date: 8-Jun-17
Print Name Signature
RAC Industries LLC

Approved By: Steve Byington, PE Date: 8-Jun-17
Print Name Signature
Cobb, Fendley & Associates, Inc.

Accepted By: _____ Date: _____
Print Name Signature

PAY ESTIMATE:									
#4									
ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	Pay Estimate #4 QUANTITY INSTALLED		YEAR TO DATE		
					Quantity	Amount	Quantity	Amount	Percent Comp.
SECTION 1 - SITE PREPARATION AND EARTH WORK									
1	Mobilization, Demobilization (5% Maximum of Total Contract Amount)	LS	1	\$ 10,010.00		\$ -	1.00	\$ 10,010.00	100%
2	Tree and Plant Protection	LS	1	\$ 460.00		\$ -	1.00	\$ 460.00	100%
3	Trench Safety	LF	87	\$ 1.00		\$ -	87.00	\$ 87.00	100%
4	Remove, Haul, And Dispose of Existing 72" Steel Pipe Culvert	LS	1	\$ 3,960.00		\$ -	1.00	\$ 3,960.00	100%
5	Remove, Haul, And Dispose of Existing Concrete/Asphalt Pavement, all Thicknesses (Includes all Saw-Cutting Required)	SY	470	\$ 7.00		\$ -	470.00	\$ 3,290.00	100%
6	Remove, Haul, And Dispose of Existing Concrete Curb (Includes all Saw-Cutting Required)	LF	60	\$ 0.50		\$ -	60.00	\$ 30.00	100%
7	Remove, Haul, And Dispose of Existing Guard Rail	LS	1	\$ 95.00		\$ -	1.00	\$ 95.00	100%
8	Excavation, Including Haul and Disposal	CY	150	\$ 14.00		\$ -	150.00	\$ 2,100.00	100%
9	Clearing/Grubbing and Disposal	AC	0.2	\$ 2,200.00		\$ -	0.20	\$ 440.00	100%
SECTION 2 - PUBLIC STORM SEWER LINE IMPROVEMENTS									
10	Type C Inlet, reinforced concrete, C76, all depths (With stage 1 SWPP protection)	EA	2	\$ 3,175.00		\$ -	2.00	\$ 6,350.00	100%
11	Reinforced Concrete Box Culvert (6'x5'), Open-Cut	LF	174	\$ 256.00		\$ -	174.00	\$ 44,544.00	100%
12	Concrete Wingwall	EA	2	\$ 29,700.00		\$ -	2.00	\$ 59,400.00	100%
SECTION 3 - PUBLIC PAVING IMPROVEMENTS									
13	Concrete Paving, Reinforced, 8-in Thick	SY	825	\$ 46.00		\$ -	745.11	\$ 34,275.06	90%
14	Cement Stabilized Sand Subgrade, 6-in Thick	SY	970	\$ 12.00		\$ -	936.88	\$ 11,242.56	97%
15	6-inch Curb, Complete in Place	LF	675	\$ 4.00		\$ -	560.00	\$ 2,240.00	83%
16	Concrete Pavement Header (Includes Sawcut, All Depths)	LF	101	\$ 11.00		\$ -	101.00	\$ 1,111.00	100%
17	Furnish and Install Stop Sign	EA	1	\$ 330.00		\$ -	1.00	\$ 330.00	100%

PAY ESTIMATE: #4									
ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE	Pay Estimate #4 QUANTITY INSTALLED		YEAR TO DATE		
18*	Metal Beam Guard Fence, Timber Posts, per TXDOT GF(31)-14 Standard Detail	LF	180	\$ 33.00	110.0	\$ 3,630.00	110.00	\$ 3,630.00	61%
SECTION 4 - PUBLIC WATERLINE IMPROVEMENTS									
19	Cut, Abandon and Remove Existing 2-Inch Water Line	LF	100	\$ 1.00		\$ -	250.00	\$ 250.00	250%
20	2-Inch SCH 40 PVC Water Line	LF	100	\$ 7.00		\$ -	250.00	\$ 1,750.00	250%
21	2-Inch Wet Connection	EA	2	\$ 301.00		\$ -	2.00	\$ 602.00	100%
SECTION 5 - PUBLIC SANITARY IMPROVEMENTS									
22	Cut, Abandon and Remove Existing 2-Inch Force Main	LF	100	\$ 1.00		\$ -	250.00	\$ 250.00	250%
23	2-Inch SCH 40 PVC Sanitary Sewer Force Main in 4-Inch PVC Casing	LF	100	\$ 12.50		\$ -	250.00	\$ 3,125.00	250%
SECTION 6 - TRAFFIC CONTROL PLAN									
24	Traffic Control and Regulation	LS	1	\$ 990.00		\$ -	1.00	\$ 990.00	100%
SECTION 7 - STORM WATER POLLUTION PREVENTION PLAN									
25	TPDES Compliance (Includes NOI, NOT, Maintenance, Inspection and Reporting, and Street Cleaning)	LS	1	\$ 495.00		\$ -	1.00	\$ 495.00	100%
26	Furnish and Install Filter Fabric Fence	LF	670	\$ 2.00		\$ -	200.00	\$ 400.00	30%
27	Furnish and Install Inlet Protection (Stage I & II)	EA	2	\$ 48.00		\$ -	2.00	\$ 96.00	100%
28	Stabilized Construction Entrance/Exit	EA	1	\$ 1,320.00		\$ -	1.00	\$ 1,320.00	100%
29	Hydro Mulch Seeding in All Areas Where Soil has Been Disturbed	AC	0.35	\$ 4,557.00	0.60	\$ 2,734.20	0.60	\$ 2,734.20	171%
30	Block Sodding	SY	240	\$ 6.00		\$ -	0.00	\$ -	0%
SECTION 8 - EXTRA WORK ITEMS									
31	Crushed Stone for Wet Stable Trench Filter for Box Culvert (Include Fabric)	CY	100	\$ 10.00		\$ -	100.00	\$ 1,000.00	100%
32	24" Thick Rip Rap (as Approved and Directed by Engineer) (150LB Boulder)	SY	200	\$ 20.00	96.0	\$ 1,920.00	296.00	\$ 5,920.00	148%

PAY ESTIMATE: #4									
ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT QTY	UNIT PRICE	Pay Estimate #4 QUANTITY INSTALLED		YEAR TO DATE		
33	Wellpointing (as Approved and Directed by the Engineer) (\$25/LF)	LF	87	\$ 25.00	Quantity	Amount	Quantity	Amount	Percent Comp.
						-	0.00	\$ -	0%
Change Order 1									
CO-1	Production Loss Due to Williams Pipe Line Location	LS	1	\$ 5,464.50	1.0	\$ 5,464.50	1.00	\$ 5,464.50	100%

Sum of Pay App #4: \$ 13,748.70

Work completed to Date:

\$207,991.32

Percent Complete Color Code:	
In progress, under 100%	
Complete, 100%	
Over 100%	

5. Subcontractor hereby warrants that no mechanic or materialmen liens will be placed on the Owner's property relating to Subcontractor's accounts on the Project.

AFFIANT:

J Santos Lira
Printed Name: J Lira
Title: Project Manager

SUBSCRIBED AND SWORN TO BY ME, on this 23 day of MAY, 2017, to certify which witness my hand and seal of office.



Stefanie Hernandez
Notary Public, State of Texas

EXHIBIT "C"

**PARTIAL WAIVER AND RELEASE
OF CLAIMS AND LIENS**

CONDITIONED UPON, AND IN CONSIDERATION OF, payment made, in good and valuable funds, in the sum of \$ 7,071.30, which represents the full amount due to the undersigned as of May 23, 2017 (the "Release Date"), along with other valuable consideration, the undersigned does hereby certify and acknowledge that it has been fully paid for any and all work and labor done by it and for any and all materials supplied by it pertaining to invoices dated through the Release Date on the Project described as follows (hereinafter referred to as the "Work"):

Contractor:	<u>RAC Industries, LLC</u>
Surety:	<u>The Guarantee Company of North America</u>
Bond Number:	<u>70141475</u>
Project:	<u>Battleground Golf Course Driveway Improvements</u>
Owner:	<u>City of Deer Park</u>

The undersigned hereby acknowledges complete satisfaction of, and forever waives and releases, any and all claims of every kind against the Owner, the Project, the Contractor (and its predecessors, successors, agents, officers, members, partners, and assigns), the Surety, and the bond referenced by the Bond Number above (hereinafter collectively referred to as the "Released Parties"), including, but limited to, all statutory or constitutional mechanic's liens and all contract liens to which the undersigned may be entitled related to the furnishing of the Work.

IN CONSIDERATION FOR PAYMENTS MADE, THE UNDERSIGNED SUBCONTRACTOR AGREES TO INDEMNIFY AND HOLD HARMLESS THE CONTRACTOR, THE SURETY, AND THE OWNER FROM ALL LIENS, CLAIMS, AND DEMANDS, INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES, ARISING OUT OF OR RELATED TO THE WORK PROVIDED BY OR THROUGH THE UNDERSIGNED SUBCONTRACTOR OR TO THE SUBCONTRACTOR FOR USE ON THE PROJECT.

The undersigned further represents and warrants that it has not assigned and will not assign any claim for payment, any right to perfect a lien claim, or any contractual, statutory, or constitutional lien against the property in connection with the Work.

The undersigned further represents and warrants that all bills, claims, or liabilities against it or the Project arising out of the Work have been paid and satisfied except as noted on the attached schedule of unpaid subcontractors and suppliers. Subcontractor further represents and warrants that any unpaid subcontractors and suppliers will be paid and satisfied directly out of funds paid in reliance on this affidavit.

All of the provisions of this release shall bind the undersigned and the undersigned's legal representatives, successors, and assigns and shall inure to the benefit of the Released Parties and the legal representatives, successors, and assigns of the Released Parties.

The person signing this document represents that they are duly authorized to do so on behalf of the undersigned.

IN WITNESS THEREOF, individually and on behalf of the undersigned, with full authority, I have executed this instrument effective the 23 day of May, 2017.

SUBCONTRACTOR:

RAC Industries, LLC

By: J Santos Lira
Name: J Lira
Title: Project Manager

STATE OF Texas §
§
COUNTY OF Harris §

SUBSCRIBED, SWORN TO, AND ACKNOWLEDGED BEFORE ME by the said j Lira, Project Manager of RAC Industries, LLC on this 23 day of May, 2017, to certify which witness my hand and official seal of office.

[Signature]
Notary Public, State of Texas

My commission expires:
01-13-2019

EXHIBIT "D"

FULL AND FINAL WAIVER AND RELEASE OF CLAIMS AND LIENS

CONDITIONED UPON, AND IN CONSIDERATION OF, payment made, in good and valuable funds, in the sum of \$ 20,209.96, which represents the FULL AND FINAL payment due to the undersigned under the Project, along with other valuable consideration, the undersigned does hereby certify and acknowledge that it has been fully paid for any and all work and labor done by it and for any and all materials supplied by it on the Project described as follows (hereinafter referred to as the "Work"):

Contractor:	<u>RAC Industries, LLC</u>
Surety:	<u>The Guarantee Company of North America USA</u>
Bond Number:	<u>70141475</u>
Project:	<u>Battleground Golf Course Driveway Improveme</u>
Owner:	<u>City of Deer Park</u>

The undersigned hereby acknowledges complete satisfaction of, and forever waives and releases, any and all claims of every kind against the Owner, the Project, the Contractor (and its predecessors, successors, agents, officers, members, partners, and assigns), the Surety, and the bond referenced by the Bond Number above (hereinafter collectively referred to as the "Released Parties"), including, but limited to, all statutory or constitutional mechanic's liens and all contract liens to which the undersigned may be entitled related to the furnishing of the Work.

IN CONSIDERATION FOR PAYMENTS MADE, THE UNDERSIGNED SUBCONTRACTOR AGREES TO INDEMNIFY AND HOLD HARMLESS THE CONTRACTOR, THE SURETY, AND THE OWNER FROM ALL LIENS, CLAIMS, AND DEMANDS, INCLUDING, BUT NOT LIMITED TO, ATTORNEYS' FEES, ARISING OUT OF OR RELATED TO THE WORK PROVIDED BY OR THROUGH THE UNDERSIGNED SUBCONTRACTOR OR TO THE SUBCONTRACTOR FOR USE ON THE PROJECT.

The undersigned further represents and warrants that it has not assigned and will not assign any claim for payment, any right to perfect a lien claim, or any contractual, statutory, or constitutional lien against the property in connection with the Work.

The undersigned further represents and warrants that all bills, claims, or liabilities against it or the Project arising out of the Work have been paid and satisfied except as noted on the attached schedule of unpaid subcontractors and suppliers. Subcontractor further represents and warrants that any unpaid subcontractors and suppliers will be paid and satisfied directly out of funds paid in reliance on this affidavit.

All of the provisions of this release shall bind the undersigned and the undersigned's legal representatives, successors, and assigns and shall inure to the benefit of the Released Parties and the legal representatives, successors, and assigns of the Released Parties.

The person signing this document represents that they are duly authorized to do so on behalf of the undersigned.

IN WITNESS THEREOF, individually and on behalf of the undersigned, with full authority, I have executed this instrument effective the 23 day of may, 2017.

SUBCONTRACTOR:

By:

J Santos Lira

Name: J Lira

Title: Project Manager

STATE OF Texas

§

COUNTY OF Harris

§

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J Lira, project manager of RAC Industries
SUBSCRIBED, SWORN TO, AND ACKNOWLEDGED BEFORE ME by the said J Lira, project manager of RAC Industries on this 23 day of may, 2017, to certify which witness my hand and official seal of office.



Stefanie Hernandez
Notary Public, State of Texas

My commission expires:

01-13-2019



Legislation Details (With Text)

File #:	GRT 17-007	Version:	1	Name:	
Type:	Grants	Status:		Agenda Ready	
File created:	6/23/2017	In control:		City Council	
On agenda:	7/11/2017	Final action:			
Title:	Consideration of and action on ratifying the application submission and approving the acceptance of a grant through the Bulletproof Vest Partnership Grant Act.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Consideration of and action on ratifying the application submission and approving the acceptance of a grant through the Bulletproof Vest Partnership Grant Act.

The Bulletproof Vest Partnership Grant Act helps law enforcement agencies improve the safety of officers through the acquisition of body armor. The program pays up to 50% of the total cost of approved vest purchases. Currently, more than 1,600 vests makes and models meet the standards for grant coverage. We expect to recover approximately \$5,362.50 in the 2017/2018 budget.

Summary:

The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique United States Department of Justice initiative designed to provide a critical resource to state and local law enforcement.

Since 1999, the BVP program has reimbursed more than 13,000 jurisdictions, a total of \$277 million in federal funds for the purchase of over one million vests (1,084,081 as of October 17, 2012). BVP is a critical resource for state and local jurisdictions that saves lives. Based on data collected and recorded by BJA staff, in FY 2012, protective vests were directly attributable to saving the lives of at least 33 law enforcement and corrections officers, in 20 different states, an increase 13.7% over FY 2011. At least 13 of those life-saving vests had been purchased, in part, with BVP funds. The Office of Justice Programs' Bureau of Justice Assistance (BJA) administers the BVP Program.

The Police Department will be applying for thirteen pieces of body armor next year.

Fiscal/Budgetary Impact:

Funds granted by the Department of Justice will reduce the cost of purchasing Police body armor by 50%. The total cost of

purchasing thirteen vests is \$10,725. The City of Deer Park will incur a total cost of \$5,362.50.

Recommend City Council approval for the Police Department to apply for and accept a grant through the Bulletproof Vest Partnership Grant Act.



Legislation Details (With Text)

File #: PUR 17-014 **Version:** 1 **Name:**
Type: Purchase **Status:** Agenda Ready
File created: 6/15/2017 **In control:** City Council
On agenda: 7/11/2017 **Final action:**
Title: Consideration of and action on purchasing the services of Vaught Services, LLC to perform the Erin Glen Ct. Storm Sewer Upsizing Project.
Sponsors:
Indexes:
Code sections:
Attachments: [Deer Park 24-inch Storm Erin Glen Ct Proposal REVISED](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Consideration of and action on purchasing the services of Vaught Services, LLC to perform the Erin Glen Ct. Storm Sewer Upsizing Project.

Summary: Staff is requesting to purchase the services of Vaught Services, LLC, through the The Interlocal Purchasing System (TIPS) in the amount of \$242,560.50. Currently, the outfall pipe that drains Erin Glen Ct. is undersized which causes flooding, even on small rain events. This project will upsize the outfall pipe and add additional inlet capacity which will drastically improve the flooding issues that have been occurring on the street.

Fiscal/Budgetary Impact: This project will be funded as follows:

Acct. # 34-401-4914	Series 2007 Drainage Bond Funds	\$112,966.50
Acct. # 90-401-4914	Drainage Master Plan Project	\$129,594.00

Staff recommends council approve this purchase.



Legislation Details (With Text)

File #: CON 17011 **Version:** 1 **Name:**

Type: Contract **Status:** Agenda Ready

File created: 6/30/2017 **In control:** City Council

On agenda: 7/11/2017 **Final action:**

Title: Consideration of and action on ratification of a purchase from SKE, Inc., through the Buy Board Cooperative Purchasing Program to perform the relocation of sanitary and water utilities on Ivy Street.

Sponsors: Public Works

Indexes:

Code sections:

Attachments: [Contract Ivy](#)

Date	Ver.	Action By	Action	Result
7/11/2017	1	City Council		

Consideration of and action on ratification of a purchase from SKE, Inc., through the Buy Board Cooperative Purchasing Program to perform the relocation of sanitary and water utilities on Ivy Street.

Summary:

Staff is requesting the ratification of a purchase from SKE, Inc., through the Buy Board to perform sanitary and water utilities relocation on Ivy Street. The City joined into an agreement with Harris County to reconstruct Ivy Street, part of this agreement was for the City to be responsible for all utility relocation. The City rehabilitated the water and sewer before construction in order for the contractor to begin construction. During construction it was found that additional utilities were in the ROW that was unknown to the City and therefore needed to be moved to not hold up the construction due to the tight window before school starts. The purchase agreement with SKE, Inc. is for the amount of \$48,202.31.

Fiscal/Budgetary Impact:

This project will be funded out of Water and Sewer contingency funds.

Staff recommends Council approval to purchase the services of SKE, Inc. through the Buy Board



Work Order Signature Document

ezIQC Buy Board Contract No.: 520-16 Area C - SKE

☐

New Work Order

☒

Modify an Existing Work Order

Work Order Number.: 046490.03

Work Order Date: 07/03/2017

Work Order Title: City of Deer Park - Emergency Repair

Owner Name: City of Deer Park

Contractor Name: SKE Construction, LLC

Contact: Brent Costlow

Contact: Morgan Early

Phone: 281-838-9969

Phone: 281-585-4100

Work to be Performed

Work to be performed as per the Final Detailed Scope of Work Attached and as per the terms and conditions of ezIQC Buy Board Contract No 520-16 Area C - SKE.

Brief Work Order Description:

Emergency water and sewer rehabilitation along Ivy Ave.

Time of Performance

Estimated Start Date:

Estimated Completion Date:

Liquidated Damages

Will apply:

☐

Will not apply:

☒

Work Order Firm Fixed Price: \$48,202.31

Owner Purchase Order Number:

Approvals

Owner

Date

Contractor

Date

Shelly A. Elmore 07/05/17



Detailed Scope of Work

To: Morgan Early
SKE Construction, LLC
15812 Drifting Rose Dr
Cypress, TX 77429
281-585-4100

From: Brent Costlow
City of Deer Park
701 E San Augustine
Deer Park, TX 77573
281-838-9969

Date Printed: July 03, 2017

Work Order Number: 046490.03

Work Order Title: City of Deer Park - Emergency Repair

Brief Scope: Emergency water and sewer rehabilitation along Ivy Ave.

☐

Preliminary

☐

Revised

☒

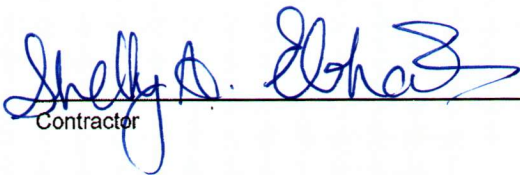
Final

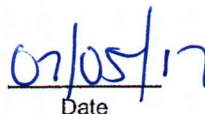
The following items detail the scope of work as discussed at the site. All requirements necessary to accomplish the items set forth below shall be considered part of this scope of work.

Emergency water and sewer rehabilitation along Ivy Ave in Deer Park, Texas to solve existing pitch and flow issues. Replacing existing 6" & 8" Cast Iron sanitary sewer lines by both open cut and pipe bursting methods. Includes reconnection to existing mains and manholes as well as new installation of 2 4' fiberglass manholes with ring and cover. Install new 6" watermain to replace failing line, to include two hot taps and gate valves for isolation purposes.

Work will be begin immediately following approval of PO to meet street repair deadlines as agreed.

Subject to the terms and conditions of JOC Contract 520-16 Area C - SKE.


Contractor


Date

Owner

Date

Contractor's Price Proposal - Summary

Date: July 03, 2017

Re: IQC Master Contract #: 520-16 Area C - SKE
Work Order #: 046490.03
Owner PO #:
Title: City of Deer Park - Emergency Repair
Contractor: SKE Construction, LLC
Proposal Value: \$48,202.31

Aggregate	\$9,144.60
Equipment	\$7,014.64
Fees	\$2,000.00
Labor	\$3,757.50
Mob	\$773.91
Restoration	\$1,630.10
Section - 33	\$4,500.00
Sewer	\$9,957.60
Water	\$9,423.96
Proposal Total	\$48,202.31

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: 9.34%

Contractor's Price Proposal - Detail

Date: July 03, 2017

Re: IQC Master Contract #: 520-16 Area C - SKE
 Work Order #: 046490.03
 Owner PO #:
 Title: City of Deer Park - Emergency Repair
 Contractor: SKE Construction, LLC
 Proposal Value: \$48,202.31

Sect.	Item	Mod.	UOM	Description	Line Total
Labor	Equip.	Material	(Excludes)		

Aggregate

1	03	31	13	00	0035	CY	Up To 6", By Direct Chute, Place 3,000 PSI Concrete Slab On Grade									\$1,611.60
							Installation	Quantity		Unit Price		Factor	=		Total	
								12.00	x	134.30	x	1.0000	=		1,611.60	
							For Manholes									
2	31	32	13	19	0003	TON	Cement Stabilized Base Material									\$7,533.00
							Installation	Quantity		Unit Price		Factor	=		Total	
								60.00	x	125.55	x	1.0000	=		7,533.00	
							Backfill in Roadway and Manholes									

Subtotal for Aggregate

\$9,144.60

Equipment

3	01	22	23	00	0385	WK	11,000 LB Mini-Excavator With Full-Time Operator (Bobcat 337)									\$7,014.64
							Installation	Quantity		Unit Price		Factor	=		Total	
								2.00	x	3,507.32	x	1.0000	=		7,014.64	

Subtotal for Equipment

\$7,014.64

Fees

4	01	22	16	00	0002	EA	Reimbursable Fees									\$2,000.00
							Reimbursable Fees will be paid to the contractor for eligible costs. The base cost of the Reimbursable Fee is \$1.00. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee (e.g. quantity of 125 = \$125.00 Reimbursable Fee). If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warrantee, expedited shipping costs, etc.). A copy of each receipt shall be submitted with the Price Proposal.									
							Installation	Quantity		Unit Price		Factor	=		Total	
								2,000.00	x	1.00	x	1.0000	=		2,000.00	

Subtotal for Fees

\$2,000.00

Labor

5	01	22	20	00	0015	HR	Laborer									\$1,488.50
							For tasks not included in the Construction Task Catalog® and as directed by owner only.									
							Installation	Quantity		Unit Price		Factor	=		Total	
								50.00	x	29.77	x	1.0000	=		1,488.50	
6	01	22	20	00	0036	HR	Truck Driver, Light									\$2,269.00
							For tasks not included in the Construction Task Catalog® and as directed by owner only.									
							Installation	Quantity		Unit Price		Factor	=		Total	
								50.00	x	45.38	x	1.0000	=		2,269.00	

Subtotal for Labor

\$3,757.50

Mob

Contractor's Price Proposal - Detail Continues..

Work Order Number: 046490.03
 Work Order Title: City of Deer Park - Emergency Repair

Mob									
7	01 71 13 00 0002	EA	Equipment Delivery, Pickup, Mobilization And Demobilization Using A Rollback Flatbed TruckIncludes delivery of equipment, off loading on site, rigging, dismantling, loading and transporting away. For equipment such as trenchers, skid-steer loaders (bobcats), industrial warehouse forklifts, sweepers, scissor platform lifts, telescoping and articulating boom manlifts with up to 40' boom lengths, etc.						\$300.00
		Installation	Quantity		Unit Price		Factor		Total
			2.00	x	150.00	x	1.0000	=	300.00
8	02 32 13 00 0002	EA	Mobilization Of Drilling Crew						\$473.91
		Installation	Quantity		Unit Price		Factor		Total
			1.00	x	473.91	x	1.0000	=	473.91
Subtotal for Mob									\$773.91
Restoration									
9	31 23 16 13 0045	LF	Backfill 6" Wide, 36" Deep Trench, With Compaction						\$28.60
		Installation	Quantity		Unit Price		Factor		Total
			65.00	x	0.44	x	1.0000	=	28.60
		Open Cut							
10	32 92 23 00 0065	MSF	Up To 1,000 SF, St. Augustine Sod, Installed On Level Ground						\$1,601.50
		Installation	Quantity		Unit Price		Factor		Total
			2.00	x	800.75	x	1.0000	=	1,601.50
Subtotal for Restoration									\$1,630.10
Section - 33									
11	33 00 00 00 0000	EA	23.5" x 8' Fiberglass Man Hole Open Bottom						\$4,500.00
		NPP Installation	Quantity		Unit Price		Factor		Total
			3.00	x	1,500.00	x	1.0000	=	4,500.00
Subtotal for Section - 33									\$4,500.00
Sewer									
12	33 05 23 13 0055	LF	6" Polyethylene Pipe Pull In Place By Boring MachineIncludes pipe welding.						\$789.60
		Installation	Quantity		Unit Price		Factor		Total
			120.00	x	6.58	x	1.0000	=	789.60
13	33 05 23 13 0056	LF	8" Polyethylene Pipe Pull In Place By Boring MachineIncludes pipe welding.						\$557.05
		Installation	Quantity		Unit Price		Factor		Total
			65.00	x	8.57	x	1.0000	=	557.05
14	33 11 13 23 0430	LF	6" DR 21, Butt Fusion Joint High Density Polyethylene (HDPE) Pressure Pipe						\$1,466.40
		Installation	Quantity		Unit Price		Factor		Total
			120.00	x	12.22	x	1.0000	=	1,466.40
		Drill							
15	33 11 13 23 0430 0041	MOD	For DR 11 (160 PSI), Add						\$439.20
		Installation	Quantity		Unit Price		Factor		Total
			120.00	x	3.66	x	1.0000	=	439.20
16	33 11 13 23 0431	LF	8" DR 21, Butt Fusion Joint High Density Polyethylene (HDPE) Pressure Pipe						\$3,059.55
		Installation	Quantity		Unit Price		Factor		Total
			195.00	x	15.69	x	1.0000	=	3,059.55

Contractor's Price Proposal - Detail Continues..

Work Order Number: 046490.03

Work Order Title: City of Deer Park - Emergency Repair

Sewer									
17	33	11	13	23	0431	0038	MOD	For DR 17 (100 PSI), Add	\$329.55
							Installation	Quantity 195.00 x Unit Price 1.69 x Factor 1.0000 = Total 329.55	
18	33	31	00	00	0106		EA	8" Clean Out Tees With Plug, Polyvinyl Chloride (PVC) Sewer And Drain	\$438.32
							Installation	Quantity 2.00 x Unit Price 219.16 x Factor 1.0000 = Total 438.32	
19	33	31	00	00	0107		EA	10" Clean Out Tees With Plug, Polyvinyl Chloride (PVC) Sewer And Drain	\$648.24
							Installation	Quantity 2.00 x Unit Price 324.12 x Factor 1.0000 = Total 648.24	
20	33	39	13	00	0072		EA	8" Elastomeric Polyvinyl Chloride (PVC) Flexible Manhole Adapter And Grout	\$83.21
							Installation	Quantity 1.00 x Unit Price 83.21 x Factor 1.0000 = Total 83.21	
21	33	39	13	00	0073		EA	10" Elastomeric Polyvinyl Chloride (PVC) Flexible Manhole Adapter And Grout	\$100.64
							Installation	Quantity 1.00 x Unit Price 100.64 x Factor 1.0000 = Total 100.64	
22	33	39	13	00	0076		EA	Seal Gap Between Pipe And Structure With Brick And Grout	\$318.00
							Installation	Quantity 3.00 x Unit Price 106.00 x Factor 1.0000 = Total 318.00	
23	33	39	13	00	0079		EA	Double Channel Concrete Invert For Manholes	\$556.40
							Installation	Quantity 2.00 x Unit Price 278.20 x Factor 1.0000 = Total 556.40	
24	33	39	13	00	0147		EA	24" Diameter x 200 LB Regular Cast Iron Manhole Cover With Frame, City Type	\$1,171.44
							Installation	Quantity 2.00 x Unit Price 585.72 x Factor 1.0000 = Total 1,171.44	
Subtotal for Sewer									\$9,957.60

Water									
25	33	01	30	71	0011		EA	Initial Set-up Pipe Bursting Equipment	\$3,189.96
							Installation	Quantity 1.00 x Unit Price 3,189.96 x Factor 1.0000 = Total 3,189.96	
26	33	01	30	71	0028		LF	6" Diameter, Static Head Pipe Bursting	\$1,041.60
							Installation	Quantity 60.00 x Unit Price 17.36 x Factor 1.0000 = Total 1,041.60	
27	33	01	30	71	0028	0325	MOD	For >50 To 75, Add	\$150.60
							Installation	Quantity 60.00 x Unit Price 2.51 x Factor 1.0000 = Total 150.60	
28	33	11	13	13	0503		EA	6" Mechanical Joint Gland, Gasket, T-Head Bolts And Nuts Includes six (6) 3/4" diameter plain finish Boltss with nut.	\$159.30
							Installation	Quantity 6.00 x Unit Price 26.55 x Factor 1.0000 = Total 159.30	
29	33	11	13	13	0544		EA	6" Mechanical Joint Restraints For Ductile Iron Pipe (Megalug 1100)	\$1,523.10
							Installation	Quantity 6.00 x Unit Price 253.85 x Factor 1.0000 = Total 1,523.10	
30	33	11	13	23	0430		LF	6" DR 21, Butt Fusion Joint High Density Polyethylene (HDPE) Pressure Pipe	\$733.20
							Installation	Quantity 60.00 x Unit Price 12.22 x Factor 1.0000 = Total 733.20	

Contractor's Price Proposal - Detail Continues..

Work Order Number: 046490.03

Work Order Title: City of Deer Park - Emergency Repair

Water										
31	33	11	13	23	0430	0038	MOD	For DR 17 (100 PSI), Add		\$60.00
							Installation	Quantity	Unit Price	Factor
								60.00	1.00	1.0000
								x	x	=
										Total
										60.00
32	33	11	13	53	0252		EA	6" Ductile Iron Body, Omni Coupling System (Smith-Blair 441)		\$508.68
							Installation	Quantity	Unit Price	Factor
								2.00	254.34	1.0000
								x	x	=
										Total
										508.68
33	33	12	16	00	0040		EA	Valve Box Upper And Lower Section		\$138.64
							Installation	Quantity	Unit Price	Factor
								2.00	69.32	1.0000
								x	x	=
										Total
										138.64
34	33	12	16	00	0041		EA	Valve Box Cover "Water"		\$22.40
							Installation	Quantity	Unit Price	Factor
								2.00	11.20	1.0000
								x	x	=
										Total
										22.40
35	33	12	16	00	0307		EA	6" Resilient Wedge Gate Valve, Mechanical Joint		\$1,481.74
							Installation	Quantity	Unit Price	Factor
								2.00	740.87	1.0000
								x	x	=
										Total
										1,481.74
36	33	13	00	00	0002		EA	Setting Up And Removing Equipment For Water Main Disinfection/Sterilization, Gas Chlorination Method		\$388.34
							Installation	Quantity	Unit Price	Factor
								1.00	388.34	1.0000
								x	x	=
										Total
										388.34
37	33	13	00	00	0005		LF	6" Diameter Pipe Water Main Disinfection/Sterilization		\$26.40
							Installation	Quantity	Unit Price	Factor
								120.00	0.22	1.0000
								x	x	=
										Total
										26.40
Subtotal for Water										\$9,423.96
Proposal Total										\$48,202.31

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: 9.34%

Subcontractor Listing

Date: July 03, 2017

Re: IQC Master Contract #: 520-16 Area C - SKE
Work Order #: 046490.03
Owner PO #:
Title: City of Deer Park - Emergency Repair
Contractor: SKE Construction, LLC
Proposal Value: \$48,202.31

Name of Contractor	Duties	Amount	%
No Subcontractors have been selected for this Work Order		\$0.00	0.00

CONTRACT

STATE OF TEXAS
COUNTY OF HARRIS

§
§

KNOW ALL MEN BY THESE PRESENTS:

That this Contract made and entered into this ____ day of ____, by and between
THE CITY OF DEER PARK, TEXAS (the "City") and **SKE CONSTRUCTION, LLC**
LLC located at **PO Box 1111, Cypress Tx 77410** (the "Contractor").

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the City, the Contractor hereby agrees with the City to commence and complete the construction of certain improvements at the prices set forth in the Contractor's Proposal for the City Job No _____ the same being designated as **IVY STRETT UTILITIES RELOCATION PROJECT**

The Contractor shall perform all work shown on the Plans and described in the Specifications and shall meet all requirements of the Agreement as defined herein. The General and Special Conditions of the Agreement, and such Orders and Agreements for Extra Work as may subsequently be entered by the above named parties to the Agreement.

The Contractor shall not offer, confer or agree to confer any benefit or gift to any City employee.

The Contractor hereby agrees to commence work under this Contract within seven (7) days after issuance by the City of the written Authorization To Proceed. Under no circumstances shall the work commence prior to the Contractor's receipt of the City's issued, written Authorization To Proceed. Computation of Contract Time will begin upon actual commencement of Work by the Contractor during the seven (7) calendar day period referenced above, or upon the eighth (8th) calendar day (assuming the eighth day is a day upon which Work may lawfully and Contractually be performed), *whichever occurs first*. All work specified in these Contract Documents shall be completed within 120 calendar days.

It is agreed and understood by the City and the Contractor that the provisions of Chapter 252, Local Government Code apply to this contract. The terms of the aforementioned state law are incorporated herein by reference. Contractor and City Agree that as a public body, City is authorized by such state law to negotiate change orders up to and including the amount of \$50,000.00 acting by and through its duly designated administrative officer. It is agreed and understood that any change orders which increase the work of the contract in excess of 25% of the bid contract price, must be subject of a supplemental agreement approved by the City Council of the City, or its designee, as in case of original contracts. The work of the contract may be decreased over 25% with the consent of the Contractor.

The City agrees to pay the Contractor in current funds, and to make payments on account, for the performance of the work in accordance with the Contract, at the prices set forth in the Contractor's Proposal, subject to additions and deductions, all as provided in the General Conditions of the Agreement.

The following documents, together with this Contract, comprise the Agreement, and they are as fully a part thereof as if herein repeated in full:

1. The Bid Proposal
2. The Contract
3. The Payment Bond
4. The Performance Bond

5. The General Conditions of the Contract
6. The Special Conditions of the Contract
7. The Construction Specifications
8. The Standard Drawings
9. The Plans
10. Addenda
11. Change Orders

In witness thereof of the Parties of these presents have executed this Agreement in the Year and day of first above written.

OWNER:

CITY OF DEER PARK, TEXAS, a Texas municipal
corporation

By _____

Name _____

Title _____

Date _____

CONTRACTOR:

SKE CONSTRUCTION LLC

By Shelly D. Clark

Title PRESIDENT/CEO

Date 07/05/2017

Contractor hereby acknowledges and understands that this Contract is subject to Section 151.311 of the Texas Tax Code, as amended. The following amount of money represents that part of the total contract price representative of the value of tangible personal property which is to be incorporated into the project realty, or which is otherwise exempt from taxation under Section 151.311 of said Code: \$ _____

CONFLICT OF INTEREST QUESTIONNAIRE

In accordance with H.B. 914 the City of Deer Park is required to file the enclosed form (CIQ), Conflict of Interest Questionnaire with the City Secretary's office with any vendor that the City will contract with for purchases and services of any kind.

In order to comply with this State Requirement the City is requesting that your company as a potential contracted vendor with the City of Deer Park complete this form and submit it with your bid documents. This form will be considered part of the bid package. Failure to complete and submit this form with your bid could delay the award of your bid should you meet all other requirements.

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

SKE Construction, LLC

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☒ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

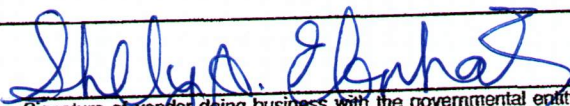
☐ Yes

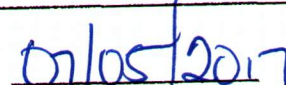
☒ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

N/A

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity


Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

H.B. 1295

Certificate of Interested Parties

Procedure

The Texas Ethics Commission states:

"In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016."

The key issue is that the disclosure form must be submitted by the business entity before the signed contract is submitted in order for the contract to be valid. The Texas Ethics Commission requires each contract covered by law to have an ID # generated by the City in order to track the contract. Once the City generates an ID # this will be given to the business entity to file with the Ethics Commission.

WHO IS REQUIRED TO FILE FORM 1295?

Any vendor or business entity that falls into one of these categories must file FORM 1295 with the Texas Ethics Commission.

- A) On projects over \$50,000: Once the lowest bidder has been determined the City will provide them with a project identification number to be submitted on Form 1295. The procedure, listed below, must be completed before Council approves the contract/agreement.
- B) All purchases requiring Council approval: Vendor will be required to submit Form 1295 following the procedure below.

FORM 1295 PROCEDURE

1. Business entities must log on to the Texas Ethics Commission web page at <https://www.ethics.state.tx.us> on the left hand side of the screen choose "File Reports Electronically", then choose "Form 1295 Certificates of Interested Parties Filing".
2. Once the business entity generates the Disclosure Form on the Texas Ethics Commission website, the business entity will print the Form and Certification of Filing. The authorized agent of the vendor must sign the printed copy of the form and have the signature notarized.
3. The signed and notarized Form 1295 must be submitted to the City prior to the City Council meeting, at which time the contract or agreement will be considered for approval. The City must acknowledge the receipt of the filed Form 1295 no later than the 30th day after the date the contract binds all parties to the contract. Once a Form 1295 is acknowledged, it will be posted to the Texas Ethics Commission website within 7 days.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2017-232043

Date Filed:
07/05/2017

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

SKE Construction, LLC
Cypress, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Deer Park, Texas

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

046490.03

Emergency Water & Sewer Rehab along Ivy Ave

[illegible]

5 Check only if there is NO Interested Party.



6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said SHELLY A. EBERHART, this the 5TH day of JULY, 20 17, to certify which, witness my hand and seal of office.

Signature of officer administering oath

MORGAN R. EARLE
Printed name of officer administering oath

