

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 #3920

Resolution #2017-16

## CALL TO ORDER

*The 1694th meeting of the Deer Park City Council.*

## INVOCATION

## PLEDGE OF ALLEGIANCE

## PUBLIC HEARINGS

1. Public Hearing on the City Adopting Standards of Care for the All Star Activity Program.

[PH 17-037](#)

**Recommended Action:**

Conduct the public hearing to adopt the Standards of Care for the All Star Activity Program.

**Attachments:**

[Standard of Care](#)

## AWARDING/REJECTING BIDS

2. Awarding bid for the construction of the Maxwell Adult Center Expansion.

[BID 17-043](#)

**Recommended Action:**

Recommend that Council approve the awarding of bid to Frost Construction Company in the amount of \$1,551,000 and an additive alternative No 1 bid of \$11,000 for the construction of the Maxwell Adult Center Expansion.

**Attachments:**

[Frost Construction Company, Inc - Bid for Maxwell](#)

## CONSENT CALENDAR

3. Approval of minutes of Joint meeting with Council and CCPD of August 15, 2017.

[MIN 17-115](#)

**Recommended Action:**

Approval

**Attachments:**

[CC\\_MJointSW\\_081517](#)

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*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 workshop minutes of August 15, 2017.

[MIN 17-118](#)

**Recommended Action:** Approval

**Attachments:** [CC MW 081517](#)

5. Approval of minutes of regular minutes of August 15, 2017.

[MIN 17-117](#)

**Recommended Action:** Approval

**Attachments:** [CC MR 081517](#)

6. Authorization to advertise and receive bids for South Plant Lift Station Discharge Header Replacement Project.

[AUT 17-081](#)

**Recommended Action:** Staff recommends approval.

**Department:** Public Works

## 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

7. Consideration of and action on the applying for and accepting a grant through the Office of the Governor Criminal Justice Division to purchase rifle-resistant body armor.

[GRT 17-009](#)

**Recommended Action:** Request approval to apply for and accept a grant through the Office of the Governor Criminal Justice Division to purchase rifle-resistant body armor.

8. Consideration of and action on submittal of the 2017 Tax Roll and the calculation of the Effective Tax Rate and the Rollback Tax Rate.

[TNT 17-002](#)

**Recommended Action:** Consideration and acceptance of the submitted 2017 Tax Roll and the calculated Effective Tax Rate and the Rollback Tax Rate.

**Department:** Finance

**Attachments:** [2017 Certification of Appraisal Roll](#)  
[2017 Tax Notice](#)

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*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.*

9. Consideration of and action to increase total tax revenues from properties on the tax roll by proposing to adopt a tax rate of \$0.720000 per \$100 valuation at a future meeting. [TNT 17-001](#)

**Recommended Action:** Take a record vote to increase the tax revenue for the 2017 tax year by proposing to adopt a tax rate of \$0.720000 per \$100 valuation at a future meeting.  
Note: the motion must include the amount of the proposed tax rate (\$0.720000 per \$100 valuation) to be adopted at a future meeting and the vote must be a record vote.

**Department:** Finance

10. Consideration of and action on an ordinance calling two public hearings on the proposed 2017 Tax Rate. [ORD 17-056](#)

**Recommended Action:** Approve the ordinance calling two public hearings on the proposed tax rate for tax year 2017, should they be required.

**Department:** Finance

**Attachments:** [Ord - Tax Increase Hearings 2017](#)  
[2017 Tax Notice](#)

11. Consideration of and action on an ordinance adopting the Standards of Care for the All Star Activity Program for 2017-18 DPI SD school year. [ORD 17-058](#)

**Recommended Action:** Approve ordinance adopting Standards of Care for the All Star Activity Program for 2017-18 DPI SD school year.

**Attachments:** [City of Deer Park - Standards of After School Care-8-2017](#)  
[Standards of Care](#)

12. Consideration of and action on an ordinance ratifying the mayor's emergency disaster declaration of August 25, 2017, and extending the disaster for community recovery. [ORD 17-059](#)

**Recommended Action:** Staff recommends approval

**Attachments:** [Declaration of Disaster](#)  
[City of Deer Park- Ordinance Harvey](#)

## ADJOURN

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*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.*

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*Shannon Bennett, TRMC*  
*City Secretary*

*Posted on Bulletin Board*  
*September 1, 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.*

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## Legislation Details (With Text)

**File #:** PH 17-037    **Version:** 1    **Name:**  
**Type:** Public Hearing(s)    **Status:** Agenda Ready  
**File created:** 9/1/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Public Hearing on the City Adopting Standards of Care for the All Star Activity Program.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Standard of Care](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Public Hearing on the City Adopting Standards of Care for the All Star Activity Program.

### Summary:

The City Council of the City of Deer Park has called a Public Hearing, to be held at 7:30 p.m. on the 5th day of September, 2017, in the City Council Chambers of City Hall, 710 East San Augustine Street, at which time and place they will hear all persons desiring to be heard on or in connection with any matter or question of the City adopting Standards of Care for the All Star Activity Program .

The standards of care is integrated into the Deer Park Parks and Recreation Department All Star Activity Program guidelines. The governing body of the municipality, our City Council, must approve through a formal action annually the standards of care. This meets the Texas Department of Family and Protective Services Child Care Minimum Standards.

### Fiscal/Budgetary Impact:

Conduct the public hearing to adopt the Standards of Care for the All Star Activity Program.

### **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City Council of the City of Deer Park, Texas, will hold a Public Hearing at City Hall, 710 East San Augustine Street, at 7:30 p.m. on September 5, 2017 at which time and place they will hear all persons desiring to be heard on or in connection with any matter or question relating to the City adopting Standards of Care for the After School Program.

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Shannon Bennett, TRMC  
City Secretary

Dated this 16th day of August 2017.



## Legislation Details (With Text)

**File #:** BID 17-043    **Version:** 1    **Name:**  
**Type:** Bids    **Status:** Agenda Ready  
**File created:** 8/10/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Awarding bid for the construction of the Maxwell Adult Center Expansion.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [Frost Construction Company, Inc - Bid for Maxwell](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Awarding bid for the construction of the Maxwell Adult Center Expansion.

Bids were opened and read aloud at 2:00 pm on August 8, 2017 for the Deer Park Maxwell Adult Center Expansion. Ten (10) bids were submitted by general contractors. (Note: an 11<sup>th</sup> sealed envelope was submitted and read aloud which appears to be a "bid/proposal" from a subcontractor or supplier. This is not responsive to the bid solicitation). The low bidder is Frost Construction Company with a base bid of \$1,551,000 and an additive alternative No 1 bid of \$11,000. The City's project consultant, Halff Associates, has reviewed all bids and recommends award to Frost Construction.

This project will be funded out of Type B sales tax funds. Approximately \$1,700,000 is available for construction.

Recommend that Council approve the awarding of bid to Frost Construction Company in the amount of \$1,551,000 and an additive alternative No 1 bid of \$11,000 for the construction of the Maxwell Adult Center Expansion.

**SECTION 00 03 00****BID FORM****BIDDER'S NAME** Frost Construction Company, Inc.**PROJECT IDENTIFICATION:**

City of Deer Park

Project: Maxwell Adult Center Expansion  
Project Location: 1201 Center Street, Deer Park, Texas 77536

**THIS BID IS SUBMITTED TO:**

**The Honorable Mayor and City council  
The City of Deer Park, Texas  
City Secretary at City Hall  
710 E. San Augustine Street  
Deer Park, Texas 77536**

- 1.01** The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.
- 1.02** BIDDER understands and agrees that the OWNER has the right to reject any or all Bids and to waive any minor technicalities.
- 2.01** Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The Bid will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of OWNER.
- 3.01** In submitting this Bid, Bidder represents, as set forth in the Agreement, that:
  - A.** Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents.
  - B.** Bidder has visited the Site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, and performance of the Work.



- C. Bidder is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress and performance of the Work.
  - D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities).
  - E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.
  - F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
  - G. Bidder is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Bidding Documents.
  - H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.
  - I. Bidder has given ARCHITECT written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by ARCHITECT is acceptable to Bidder.
  - J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- 4.01** Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.
- 5.01** Bidder will complete the Work in accordance with the Contract Documents for the prices attached hereto as Attachment A.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

**7.01** The following documents are attached to and made a condition of this Bid:

- A. Required Bid security in the form of Bid Bond;
- B. Section 004000, Statement of Bidder's Experience, including Attachments A – I.

**8.01** The terms used in this Bid with initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions.

SUBMITTED on August 8, 2017.

If Bidder is:

An Individual

Name (typed or printed): N/A

By: \_\_\_\_\_ (SEAL)  
(Individual's signature)

Doing business as: \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

A Partnership

Partnership Name: N/A (SEAL)

By: \_\_\_\_\_  
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

A Corporation

Corporation Name: Frost Construction Company, Inc. (SEAL)

State of Incorporation: Texas

Type (General Business, Professional, Service, Limited Liability): \_\_\_\_\_

By:  \_\_\_\_\_  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Scott Frost

Title: President

(CORPORATE SEAL)

Attest N/A

(Signature of Corporate Secretary)

Business address: 19506 Highway 59 North, Ste.: 320, Humble, Texas

Phone No.: 281-446-6522 FAX No.: 281-446-6522

Date of Qualification to do business is August 17, 2001



## FROST CONSTRUCTION COMPANY, INC.

8810 WILL CLAYTON PARKWAY, SUITE C  
HUMBLE, TEXAS 77338

PH: 281-446-6522  
FAX: 281-446-0552

Re: Meeting Minutes

In a board meeting held May 1, 2011, it was mutually agreed that the ownership shares of Frost Construction Co., Inc. change to Scott Frost having 100% ownership.

This is the only business conducted at his meeting.

A handwritten signature in dark ink, appearing to read "S Frost", written over a horizontal line.

Scott Frost  
President

A handwritten signature in dark ink, appearing to read "Dale Frost", written over a horizontal line.

Dale Frost  
Treasurer

A Joint Venture

Joint Venturer Name: N/A (SEAL)

By: \_\_\_\_\_  
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

Phone and FAX Number, and Address for receipt of official communications:

\_\_\_\_\_  
\_\_\_\_\_

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

## Bid Form – Attachment 'A'

Date: August 8, 2017

Bidder: Frost Construction Company, Inc.

19506 Highway 59 N., Ste: 320, Humble, Texas 77338

Dear Sir or Madam:

The Undersigned having examined the Contract Documents, the site of the proposed work and being familiar with all the conditions of the same, hereby proposes to furnish all labor, materials, equipment and services necessary to complete the Construction for:

### MAXWELL ADULT CENTER EXPANSION

in accordance with the Contract Documents prepared by Brinkley Sargent Wiginton Architects, Dallas, Texas.

BASE BID: one million five hundred forty-one thousand and 1  
<written>  
DOLLARS (\$ 1,541,000)  
<numerals>

ALTERNATE NO. 1: Provide AV system in Classroom 112. Refer to Drawings and Section 274100.

eleven thousand and 100  
<written> DOLLARS (\$ 11,000)  
<numerals>

The Undersigned agrees, if awarded the Contract, to commence the Work within ten (10) days of the date of the Notice to Proceed and to complete the work within the time listed below (in calendar days) from time of starting. Refer to Summary of Work and Phasing Plans for detailed information. For the purposes bidding time on this form, bidder shall assume acceptance of all Alternates.

BID TIME: Two Hundred Forty  
<written>  
DAYS 240  
(Bid time shall not exceed 250 days)

## Bid Form – Attachment 'A'

UNIT PRICES: Any adjustments, additions/deductions from the amounts of work included in this proposal shall be computed at the following unit prices, which shall include all charges and prices. Refer to Section 316329 for computation methodology for concrete piers.

	ADD	DEDUCT
Installed 12" dia. concrete pier shaft, per LF	\$ <u>175.00</u>	\$ <u>150.00</u>
Installed 12" dia. concrete pier shaft casing, per LF	\$ <u>1,750.00</u>	\$ <u>1,500.00</u>
Installed 14" dia. concrete pier shaft, per LF	\$ <u>225.00</u>	\$ <u>190.00</u>
Installed 14" dia. concrete pier shaft casing, per LF	\$ <u>1,750.00</u>	\$ <u>1,500.00</u>
Installed 16" dia. concrete pier shaft, per LF	\$ <u>275.00</u>	\$ <u>250.00</u>
Installed 16" dia. concrete pier shaft casing, per LF	\$ <u>1,750.00</u>	\$ <u>1,500.00</u>
Installed concrete flatwork paving, including subgrade, per SF	\$ <u>9.00</u>	\$ <u>7.50</u>
Installed sod, per SqFt	\$ <u>4.00</u>	\$ <u>3.00</u>

Enclosed with this Bid Form is Bid Security as follows: (Check One)

☒ Bid Bond      ( ) Cashier's Check

in the amount of 5% of the BASE BID, payable to the Owner, as a guarantee that if awarded the Contract, the Undersigned will, within ten (10) days, execute Contract and Surety Bonds on the forms provided, with Corporate Surety satisfactory to the Owner.

Enclosed with this Bid Form is a letter from the Bidder's bonding company stating the Bidder's bonding capacity for this project.

Acknowledgement is made of the receipt of addendum nos. 1: dated 7/17/17; 2 dated 7/20/17; 3 dated 7/27/17; 4 dated 8/3/17  
5 dated 8/3/17; 6 dated 8/7/17; 7 dated 8/8/17

**Frost Construction Company, Inc.**

Contractor

By

Name **Scott Frost**

Title: **President**

**\*Note\***

Leaving any blanks in this form may result in the entire bid being deemed unresponsive.

## Bid Form – Attachment 'A'

### Proposed Principal Subcontractors:

1. Mason	Not used
2. Roofing	Allstate Contracting
3. Plumbing	DL Mechanical
4. HVAC	Fresh Solution
5. Electrical	A.S. Electric Services
6. Arch'l Woodwork	Victoria Cabinet Works
7. Flooring	Floor Decor Ltd.

### Proposed Project Team:

1. Home Office Executive in Charge	Scott Frost
2. Project Manager	Kenny Ramsay
3. Job Site Superintendent	Greg DeKing

END OF BID FORM



# 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.

Frost Construction Co., Inc.  
Humble, TX United States

Certificate Number:  
2017-246246

Date Filed:  
08/07/2017

Date Acknowledged:

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

Maxwell Adult Center Expansion

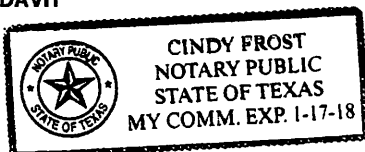
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

21603.02  
Remodeling and expansion of the existing adult center building.

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Frost Construction Company Inc.	Humble, TX United States	X	

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.

*Scott Frost*

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Scott Frost, this the 7 day of August, 2017, to certify which, witness my hand and seal of office.

*Cindy Frost*

Signature of officer administering oath

*Cindy Frost*

Printed name of officer administering oath

*Officer*

Title of officer administering oath



CHS Surety

25075 W. 43rd Ave., Suite 200  
The Woodlands, TX 77380

1-866-694-1018

May 3, 2017

Re: Frost Construction Company, Inc.

To Whom It May Concern:

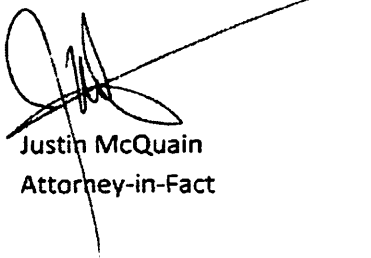
The bond company for Frost Construction Company, Inc. is SureTec Insurance Company. Their current Treasury Listing is \$5,107,000.00 and is A rated with an FSC VII in the AM Best Key Rating.

The bond capacity for Frost Construction Company, Inc. ranges from, but is not limited to \$5,000,000.00 single project to \$10,000,000.00 aggregate. These certainly are not the maximum amounts that the surety would consider for this account.

As always, SureTec Insurance Company reserves the right to perform normal underwriting at the time of any bond request, including without limitation, prior review and approval of relevant contract documents, bond forms, and project financing. Any arrangement for the final bond or bonds is a matter between the contractor and the surety company, and we assume no liability for any reason if we do not execute such bonds.

Should you have any questions or need additional information please do not hesitate to give us a call.

Sincerely,



Justin McQuain  
Attorney-in-Fact

**Attachment A**  
**BIDDER'S INFORMATION**

*(To be returned with the Bid)*

Bidder must answer all questions completely and all information must be clear, accurate and comprehensive. If necessary, questions may be answered on separate attached sheets.

- A. Name of Bidder: Frost Construction Company, Inc.
- B. Bidder's Permanent Address: 19506 Highway 59 North, Ste.: 320, Humble, Texas 77338
- C. Bidder's Phone No.: 281-446-6522
- D. Number of years in business under current company name: Sixteen (16)

(Note: A minimum of five (5) year's existence as a business is required under the current company name. Changes in company name during the experience period are acceptable if the continuity of the company structure can be demonstrated. Attach separate documentation, if applicable.)

If response is "YES" for questions E – H, attach brief description or explanation

- E. Has the Bidder ever defaulted on a contract?  
YES ( ) NO (X)
- F. Are there currently any judgments, claims, or lawsuits pending against the Bidder?  
YES ( ) NO (X)
- G. Does Bidder currently have any claims, judgments or lawsuits pending against any prior client?  
YES ( ) NO (X)
- H. Is the Bidder or principals of Bidder now, or has the Bidder or principals of Bidder ever been, involved in any bankruptcy or reorganization proceedings?  
YES ( ) NO (X)

**Attachment B**  
**STATEMENT OF EXPERIENCE**  
*(To be returned with the Bid)*

Using the summary format included below, list and describe Bidder's construction experience for a minimum of three (3) successfully completed projects of comparable size, scope and complexity to the Work described in the Contract Documents. The Bidder must have completed the projects within the past five (5) years. Part 3 of this section outlines the experience requirements which must be demonstrated with the three (3) successfully completed sample projects. (Use additional sheets as deemed necessary or appropriate.)

Are any of the experience requirements outlined in Part 3 to be fulfilled by subcontracted resources? (circle one) YES / NO

**NOTE:** If yes, Attachment E (Statement of Experience for Bidder's Listed Subcontractors) and Attachment J (Authentication of Post-Bid Submittal) as well as any other required Post-Bid forms must be submitted as a Post-Bid Submittal as outlined in Paragraph 1.2 of Section #00400.

**Project No. 1 - Experience**

Name of Project: See Attachment - Five Year Completed Projects Location: \_\_\_\_\_

OWNER's Name and Address: \_\_\_\_\_

OWNER's Contact Person (Print): \_\_\_\_\_ Phone/Fax No.: \_\_\_\_\_ / \_\_\_\_\_

Payment Bond (circle one) YES / NO

Performance Bond (circle one) YES / NO

Initial Contract Price: \_\_\_\_\_ Final Contract Price: \_\_\_\_\_

Total Contract Amount Performed by Own Forces: \_\_\_\_\_

Contract Start Date: \_\_\_\_\_ (Date of Notice To Proceed)

Contract Time: \_\_\_\_\_ ( ) Calendar Days ( ) Working Days

Contract Substantial Completion Date: \_\_\_\_\_

Actual Substantial Completion Date: \_\_\_\_\_

If contract completion time extensions were added to the contract as a result of Bidder's responsibilities, provide a short explanation of each.

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Project Description and Statement of Relevance to this Contract:

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19506 Hwy 59 North, Suite 220  
Humble, Texas 77338

### **Five Year Completed History**

#### **Project:**

#### **Northshore Park Rowing Facility**

Project Type: Competitive Sealed Bid  
Description: Boat Rowing Facility  
Contract Amount: \$631,000.00  
Project Start Date: January 2017  
Completion Date: June 2017  
Architect: Burditt Consultants – Eric Geppelt - [egeppelt@burditt.com](mailto:egeppelt@burditt.com)  
Telephone: 936-756-3041  
Owner: The Woodlands Township, Texas  
Owner Representative: Chris Nunes [CNunes@thewoodlandstowship-tx.gov](mailto:CNunes@thewoodlandstowship-tx.gov)  
Project Manager: Scott Frost  
Project Description: 9700 square foot single story PEMB consisting of Hardi Siding and Masonry

#### **Project:**

#### **Sienna Annex**

Project Type: Competitive Sealed Bid  
Description: Interior Renovation  
Contract Amount: \$360,234.04  
Project Start Date: January 2017  
Completion Date: March 2017  
Architect: Fort Bend County  
Owner: Fort Bend County Purchasing Department  
Owner Representative: James Knight [james.knight@fortbendcountytexas.gov](mailto:james.knight@fortbendcountytexas.gov)  
Telephone: 281-238-3095  
Project Manager: Scott Frost  
Project Description: 6,120 square foot Interior Renovation to existing building

**Project:****Liberty County Shed**

Project Type: Competitive Sealed Bid  
Description: Pre-Engineered Metal Building in Raywood, Texas  
Contract Amount: \$58,500.00  
Project Start Date: January 2017  
Completion Date: March 2017  
Architect: Liberty County  
Owner: Liberty County Purchasing Department  
Owner Representative: Harold Seay -  
Project Manager: Scott Frost  
Project Description: Construction of an open shell 60' x 100' x 16' PEMB with PBR Roof. Site work included.

**Project:****Texas City Service Center No. 4 Shed and Parks Equipment Shed**

Project Type: Competitive Sealed Bid  
Description: Pre-Engineered Metal Building  
Contract Amount: \$127,000.00  
Project Start Date: January 2017  
Completion Date: April 2017  
Architect: City of Texas City, Texas  
Owner: City of Texas City, Texas Purchasing Department  
Owner Representative: Tommy Maris - Telephone: 409-949-3036  
Project Manager: Scott Frost  
Project Description: Construction of two open shell PEMB's. 60' x 80' and 60' x 100'

**Project:****Harris County Dental Clinic Annex 81**

Project Type: Competitive Sealed Bid  
Description: Build Out of Dental Clinic  
Contract Amount: \$667,288.00  
Project Start Date: January 2016  
Completion Date: September 2016  
Architect: Harris County  
Owner: Harris County Purchasing Department  
Owner Representative: Bob Faulds 713-826-5376 / [bob.faulds@hcpid.org](mailto:bob.faulds@hcpid.org)  
Project Manager: Scott Frost  
Project Description: 3,000 square foot total renovations of existing building.

**Project:**

**Colonial Park**  
Project Type: Competitive Sealed Bid  
Description: Park  
Contract Amount: \$289,000.00  
Project Start Date: January 5, 2016  
Completion Date: April 5, 2016  
Architect: PGAL /  
Phat Nguyen 713-622-1444 / [phguyen@pgal.com](mailto:phguyen@pgal.com)  
Owner: City of West University Place  
Owner Representative: Susan White 713-662-5367 / [swhite@westutx.com](mailto:swhite@westutx.com)  
Project Manager: Scott Frost / 281-446-6522  
Project Description: Residential community park – 3,500 square foot deck with built in tables and seating; 600 sq ft shade structure with built in tables; landscaping enhancements with gated, paver entry with green eco paver walkways.

**Project:**

**Sheffield Head Start**  
Project Type: Competitive Sealed Bid  
Description: School  
Contract Amount: \$2,117,800.00  
Project Date: November 2013  
Completion Date: July 2014  
Architects: JBHM Architects, PA / Bill Whittle / 662-329-4883  
[bwhittle@jbhm.com](mailto:bwhittle@jbhm.com)  
Owner: KQC Investors, LLC / 336-766-7347  
Jurisdiction: Harris County  
Work Performed: 20% - General Contractor  
Superintendent: Greg DeKing  
Project Manager: Scott Frost / 281-446-6522

**Project:**

**Crosby ISD Gymnasium Repairs**  
Project Type: Competitive Sealed Bid  
Description: Gymnasium Repairs  
Contract Amount: \$1,567,000.00  
Project Date: October 2013  
Completion Date: November 2013  
Architects: cre8 Architects / Jerry Bevel - 713-526-2738  
[jerry.bevel@cre8houston.com](mailto:jerry.bevel@cre8houston.com)  
Owner: Crosby ISD / 281-328-9200  
Jurisdiction: Harris County  
Work Performed: 20% - General Contractor  
Superintendent: Greg DeKing  
Project Manager: Scott Frost / 281-446-6522

**Project:**

**Crosby ISD Coffee Shoppe**  
Project Type: Competitive Sealed Bid  
Description: Coffee Shoppe  
Contract Amount: \$99,000.00  
Project Date: January 2014  
Completion Date: February 2014  
Architects: cre8 Architects / Jerry Bevel - 713-526-2738  
[jerry.bevel@cre8houston.com](mailto:jerry.bevel@cre8houston.com)  
Owner: Crosby ISD / 281-328-9200  
Jurisdiction: Harris County  
Work Performed: 20% - General Contractor  
Superintendent: Greg DeKing  
Project Manager: Scott Frost / 281-446-6522

**Project:**

**HCDE Head Start - Channelview**  
Project Type: Competitive Sealed Bid  
Description: Educational Facility  
Contract Amount: \$1,273,400.00  
Project Start Date: April, 2012  
Completion Date: January 2013  
Architect: JBHM Architects, PA/ Bill Whittle 662-329-4883/Fax: 662-329-2725  
[bwhittle@jbhm.com](mailto:bwhittle@jbhm.com)  
Owner: KQC Investors, LLC  
Jurisdiction: Harris County  
Superintendent: Greg DeKing  
Project Manager: Scott Frost / 281-446-6522



**Project: Lone Star College System Drilling Platform Training Center**

Project Type: Competitive Sealed Bid  
Description: Detention Pond  
Contract Amount: \$800,000.00  
Completion Date: July 2015  
Architect: Othon, Inc./Cliff Tomas 713-975-8555  
[ctomas@othon.com](mailto:ctomas@othon.com)  
Owner: Lone Star College Systems  
Owner Representative: Wayne Thompson 281-290-2783 / Cell 713-806-2025  
[Wayne.K.Thompson2@lonestar.edu](mailto:Wayne.K.Thompson2@lonestar.edu)  
Superintendent: Greg DeKing  
Project Manager: Scott Frost / 281-446-6522

**Project: Aldine ISD Casework Replacement**

Project Type: Competitive Sealed Bid  
Description: Renovations  
Contract Amount: \$2,750,000.00  
Project Date: June 2015  
Completion Date: June 2016  
Architects: Archi\*Technics/3, INC / 281-615-0320  
Calvin Deese [cdeese@architech3.com](mailto:cdeese@architech3.com)  
Owner: Aldine Independent School District  
Contact: Greg Becnel / 832-493-9133  
Project Manager: Greg DeKing / 281-446-6522

**Attachment C**

**STATEMENT OF EXPERIENCE FOR BIDDER'S LISTED PROJECT MANAGER & SUPERINTENDENT**

*(To be returned with the Bid)*

Attach resumes for the following personnel who will be assigned to this project. The resumes must demonstrate that these individuals have worked on at least three (3) similar, successfully completed projects in the capacity of Project Manager or Superintendent, or other supervisory capacity, as applicable, during the last 10 years.

Project Manager (name): Kenny Ramsey

Superintendent (name): Greg DeKing

**Insert Resumes & Experience**

# KENNETH RAMSEY

19506 Hwy 59 North, Suite 320, Humble, TX 77338 | (C) 409-316-1494 | kramsey@frostconstruction.net

## Professional Summary

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Project Manager that is well-versed in preparing and interpreting graphs, charts and maps to create practical schedules for new and renovated construction projects. I have a proven record of success overseeing all phases of commercial and construction projects for government and the private-sector clients. I am experienced in complete project co-ordination between Owners, Architects, and Subcontractors I bring excellent communication skills, sincerity and motivation to any project I manage. I can offer extensive computer skills to assist in the management of all projects

## Skills

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Professional Demeanor	Excellent Customer Relations
Subcontractor Management	Strong Interpersonal Skills
Project Scheduling	Interior and Exterior Renovation
Conflict Resolution	First Aid and CPR Certified
Knowledgeable in Construction Safety	Fall Protection Plan (FPP)
Estimating	

## Work History

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### Assistant Superintendent/Frost Constructors, Inc. – Humble, TX

8/2004-5/2007

Worked directly under a Superintendent for two years on the following projects:

- Citizens Bank of the Woodlands \$1,800,000
- Petroski Elementary Summer Renovation \$500,000
- Klein Forest H.S. Exterior Renovations \$1,700,000

Responsibilities Included but were not limited to:

- Reviewing plans and specs during the schematic design of pre-construction.
- Obtaining building and specialty permits from local jurisdictional agencies.

### Project Manager/Frost Construction Company, Inc. – Humble, TX

6/2007-Current

Projects I have worked on include:

- Channel-view Head Start Educational Facility \$1,500,000
- Water District Administrative Building \$1,400,000
- Secured Store Front Entries \$1,100,000
- Sheffield Head Start Education Facility \$2,100,000
- Westfield Fire Station \$2,500,000

Responsibilities Include but are not limited to:

- Oversight in all aspects of both multi-phase renovations and new construction.
- Create and manage project schedules
- Produce RFI and RFQ's
- Regularly participate in meetings with Owners, Architects, Governing Agencies and Inspectors
- Prepare progress reports on active projects.
- Implement systems to improve project efficiency.
- Schedule all subcontractors as well as material deliveries according to project needs.

# GREG DEKING

19506 Hwy 59 North, Suite 320, Humble, TX 77338 | (C) 832-592-3736 | gdeking@frostconstruction.net

## Professional Summary

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**Superintendent** with a proven record of success overseeing all phases of 25k to multi-million dollar commercial and residential construction projects for government and private-sector clients. Experience includes complete project co-ordination between Owners, Architects, and Subcontractors, as well as excellent communication skills, computer knowledge, and the motivation to succeed. I have worked with all phases of construction including metal stud, structural steel, wood (and engineered wood products and trusses). Backed by strong references and a proven history of on-time, on-budget and high-quality project completions.

## Skills

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Commercial Construction

Infrastructure Improvement Projects

Site Safety/OSHA Compliance

Change Order Management

Bidding/Estimating/Proposals

Demolition Projects

ADA Upgrade School Renovations

QA/QC/Field Engineering

Budgeting & Cost Controls

Subcontractor/Crew Supervision

## Work History

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**Carpenter/Other Construction & Demolition Projects - \$45,000 to \$750,000**

**1981-1996**

**Superintendent/Banking Center Projects - \$300,000**

**1996-1997**

- Woodforest Bank – Houston, Texas
- Bank One – Nederland, Texas

**Project/Site Manager/United States Postal Service - \$250,000**

**1996-1997**

- USPS PD & C Center – Houston, Texas

Project Detail: 22,000 sq. ft. renovation including installation of a high traffic type of asphalt tile, HVAC upgrades and changing out water fountains at the main Postal facility in downtown Houston.

**School and Community Recreation Projects - \$150,000 to \$4,000,000**

**2008 to Present**

- Wunderlich Intermediate Fine Arts Building/Klein ISD

Project Detail: Completed final month of Construction and punch-list, and obtained C of O.

- El Franco Lee Community Center Building – Pearland, Texas

Project Detail: Completed punch-list and subsequent repairs after hurricane Ike removed part of the roofs off 2 buildings

- Montgomery United Methodist Church

Project Detail: Took over failing project and completed in 7 months.

- Petrosky Elementary School ADA Renovations/Alief ISD

Project Detail: Started project and took through completion on time.

- Westfield Fire Station
- Sheffield Head Start

**Attachment I**  
**AUTHENTICATION OF BID SUBMITTAL**

*(To be returned with the Bid)*

The Bidder must authenticate and acknowledge the preceding information by providing witness in the presence of a notary public duly licensed and authorized to act in that capacity under the laws and statutes of the State of Texas, on the form provided on the following page.

NOTARIZE ONLY THE LAST PAGE OF THIS FORM

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

Typed Name: \_\_\_\_\_

Typed Title: \_\_\_\_\_

N/A

**Limited Partnership Acknowledgement**

State of Texas \_\_\_\_\_

County of \_\_\_\_\_

\_\_\_\_\_, (insert Notary's name), a Notary Public, on this day personally  
Before me \_\_\_\_\_ (insert name of person signing on behalf of general  
appeared \_\_\_\_\_, title of officer or manager and  
partner of limited partnership), \_\_\_\_\_, name of corporation or LLC); the General  
Partner of \_\_\_\_\_ (insert name of limited partnership), known to me  
personally or on the basis of legally sufficient identification to be the person whose name is subscribed to the  
foregoing instrument and acknowledged to me that he or she executed the same for the purposes and  
consideration therein expressed.

[Seal] Given under my hand and seal of office this \_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

Signed By: Scott Frost

Typed Name: Scott Frost

Typed Title: President

**Corporation or Limited Liability Company Acknowledgement**

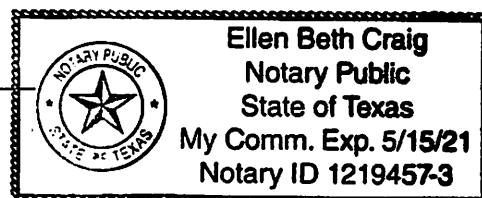
State of Texas

County of Harris

Before me ELLEN BETH CRAIG (insert Notary's name), a Notary Public, on this day personally appeared Scott Frost (insert name of person signing on behalf of corporation or LLC) as President of Frost Construction Company, Inc. (title of officer or manager and name of corporation or LLC); known to me personally or on the basis of legally sufficient identification to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

[Seal] Given under my hand and seal of office this 8th day of August, A.D., 20 17.

Ellen Beth Craig  
Notary Public, State of Texas



# CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

By law this questionnaire must be filed with the records administrator of the local government not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class 'C' misdemeanor.

1. Name of person doing business with local governmental entity:

N/A

## OFFICE USE ONLY

Date Received:

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 September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3. Name each employee or contractor of the local governmental entity who makes recommendations to local government officer of the governmental entity with respect to expenditures of money AND describe the affiliation or business relationship.

4. Name each local government officer who appoints or employs local government officers of the governmental entity for which this questionnaire is filed AND describe the affiliation or business relationship.

## CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

**FORM CIQ**

Page 2

**5. Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is Yes)**

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or other relationship. Attach additional pages to Form CIQ as necessary.

A. Is local government officer named in this section receiving or likely to receive taxable income from the filer of the questionnaire?

☐

Yes

☐

No

B. Is the filer of the questionnaire receiving or likely to receive taxable income from or at the direction of the local government officer named in this section AND the taxable income is not from the local governmental entity?

☐

Yes

☐

No

C. Is the filer of this questionnaire affiliated with a corporation or other business entity that the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐

Yes

☐

No

D. Describe each affiliation or business relationship.

6.



Signature of a person doing business with the government entity

August 8, 2017

Date



# NONCOLLUSION AFFIDAVIT OF PRIME BIDDER

State of Texas ) County of Harris )

Scott Frost, being first duly sworn, deposes and says that:

(1) He is President of Frost Construction Company, Inc., the Bidder that has submitted the attached Bid;

(2) He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

(3) Such Bid is genuine and is not a collusive or sham Bid;

(4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with another Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix an overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the \_\_\_\_\_ (Local Public Agency) or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) \_\_\_\_\_

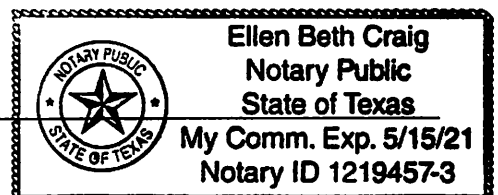
President

Title

Subscribed and sworn to me this 8th day of August 2017.

By: Ellen Beth Craig Notary  
Public

My commission expires 5/15/2021





## Legislation Details (With Text)

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**File #:** MIN 17-115    **Version:** 1    **Name:**

**Type:** Minutes    **Status:** Agenda Ready

**File created:** 9/1/2017    **In control:** City Council

**On agenda:** 9/5/2017    **Final action:**

**Title:** Approval of minutes of Joint meeting with Council and CCPD of August 15, 2017.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [CC\\_MJointSW\\_081517](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Approval of minutes of Joint meeting with Council and CCPD of August 15, 2017.

Summary:

Fiscal/Budgetary Impact:

None

Approval

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

Minutes

of

A JOINT SPECIAL MEETING OF THE DEER PARK CITY COUNCIL AND THE DEER PARK CRIME CONTROL AND PREVENTION DISTRICT BOARD OF DIRECTORS HELD AT CITY HALL COUNCIL CHAMBERS, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS, ON AUGUST 15, 2017 BEGINNING AT 5:15 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

CITY OFFICIALS PRESENT:

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

CRIME CONTROL AND PREVENTION DISTRICT PRESENT:

SHANNON BURKE	PRESIDENT
DONNA TODD	TREASURER
CRAIG O'SULLIVAN	MEMBER
GEORGE PINDER	MEMBER
DIANNA TAYLOR	MEMBER
BOB HOTTEN	MEMBER

OTHER CITY OFFICIALS PRESENT:

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

1. CALLED TO ORDER – Mayor Mouton called the Joint Special Meeting to order on behalf of the City Council and President Shannon Burke called the meeting to order on behalf of the Deer Park Crime Control and Prevention District Board of Directors at 5:15 p.m.
2. THE DEER PARK CRIME CONTROL AND PREVENTION DISTRICT AND THE DEER PARK CITY COUNCIL WILL RECEIVE A REPORT FROM THE DEER PARK POLICE DEPARTMENT REGARDING PERSONNEL REASSIGNMENTS – Chief Greg Grigg commented, “As you know we have had a great difficulty this year with hiring. We have hired one and have two resignations in the last three weeks. We have one guy in the academy, two guys that just got out of the academy. One is in the training program, the other one is going to a five month military supervision school. The other one will come out in December and in February. He leaves for a 5 month military school. I have one officer out that had surgery and one out that is pregnant. I have one going out in November with a wife that delivers in November. So, out of

thirty officers in patrol, we are down to about twenty-one. We are almost down to 66 percent of staffing and patrol. We are taking measures to look at some of our less critical functions. One of those being Crime Prevention Officer that is funded by the Crime Prevention District. The other one is one of our traffic positions. On September 4<sup>th</sup>, we are going to move both of those positions into patrol. We have an investigator on standby that may have to be moved into patrol. We are taking steps to address the shortage until we can get some people out of the academy and out of the training. Until then we can't let somebody sit in a crime prevention position which is an important role but our critical role is in patrol. We will have to move people there. This is a notification primarily because the Crime Prevention Officer is funded by the Crime Control Prevention District."

Councilwoman Sinor asked, "So just two officers?"

Chief Grigg answered "Yes, for right now."

Councilwoman Sinor asked, "Are the two that gave notices based on salary?"

Chief Grigg answered, "No, I do know that we can compete. He went to work for a substantially greater amount at one of the plants. The other officer decided that she wanted to be a nurse."

Councilman Patterson asked, "Both of them changed careers?"

Chief Grigg answered, "Yes."

Councilwoman Garrison asked, "Do we have any new applicants?"

Chief Grigg answered, "We had some test today. We did have a non-certified person that passed everything. He would not be eligible to go to the academy until January, so we are talking over a year before we could actually have him out."

Councilwoman Sinor asked, "Do we need to start going after experience?"

Chief Grigg answered, "We are having conversations about that."

President Burke asked, "Last meeting you mentioned salary issues and the surveys that have been done on salaries in the area. Do you feel that is related in any way or is it more military experience assignments?"

Chief Grigg answered, "We are getting the 2 % COLA and the \$300 a month increase in education pay. That will certainly help. Right now, it is probably helping more with retention. I don't know about recruiting yet. The problem is, we are getting applications. The people that are coming in, we can't pass them."

Councilman Patterson asked, "When you say you can't pass them?"

Chief Grigg answered, "They don't show up for the PT test or they can't pass the PT test. If they do get past all that, we seem to catch them in lies."

Councilman Patterson asked, "Education wise they qualify?"

Chief Grigg answered, "Yes."

Councilman Ginn asked, "You have to have a Bachelor's Degree just to apply?"

Chief Grigg answered, "Correct."

City Manager, Jay Stokes commented "As you know, we hired IKLO Contractors to construct the Firing Range. We have had a lot of problems with them as our contractor pretty much since day one. We are working on a letter. I do not have it ready at this time, per the contract, that will site specific items and its justification to move to terminate the contract. It is not ready just yet, but the recommendation stays the same. Since the earliest time in dealing with them, we have issues with scheduling, quality with the work they have done, the construction schedule has not been followed, the work has been poor and the staffing they provided has been lacking based upon what the contract requires. They did not send qualifications on some of their key staff that has been asked of them for months and months. This pattern has gone on and on in addition to many of the specific things you will learn about later. Staff has lost all ability to think that this contractor will be able to follow through and complete the job as they are required to do. The recommendation is to terminate for cause of the contract with the contractor."

Councilwoman Sinor asked "What would happen?"

Mr. Stokes answered, "We would have the ability because they were let go for cause, to hire our own company without having to redraw a new set of plans and go out for a formal bid all over again. We could find a contractor who could finish the job. We would bring that to the CCPD and Council, perhaps even in a joint workshop like this, with the recommendation of who we think could move forward regarding the dollar amounts. Moving forward, you could hire them. Again, without having to go out for bid."

Councilwoman Sinor asked, "Do you have anyone mind?"

Mr. Jay Stokes answered, "We do not have anyone specific in mind. At this point, we just have to take it one step at a time and get through this step."

Councilman Harrison asked, "When did we start this project? I don't remember when the ground breaking was but it should have started shortly after that."

Assistant City Manager Gary Jackson answered, "May or June of 2016 is when the project began."

Brent Costlow, Assistant Public Works Director, answered, "As of Thursday, we are at 444 days since they started."

Mr. Jackson answered, "The contract is dated May 1, 2016, but the notice to proceed may have been a little later."

Mr. Costlow commented, "They had 360 days to complete it."

Councilwoman Garrison asked, "They had 360 days to complete the project?"

Mr. Jackson added, "There was a change order."

Councilman Harrison asked, "Did we see this coming at some point in time, like last Spring, that they weren't on their time line to get this job done?"

Mr. Costlow answered, "We have been working with them for several months to address many issues. We were hoping they would correct the issues. You don't want to change contractors in the beginning of a project or the middle of the project because then, you're just in a big mess. Who is going to warranty that part of the construction? Are they going to walk off the job? So we kept working with them, Chief Grigg was working with them, we all were working with them but we are now at our wits end. We don't know what else to do to finish the project on time and finish it in the correct method."

Councilwoman Garrison asked, "How far are we off? Where are we exactly? Are we half way through? Can you even determine that from what they have done already?"

Mr. Costlow answered, "We are over half way. The building is up, the walls are in, some painting has been done, some tile work has been done, the berms are up, but are not correct. Some of the power is in, Centerpoint has made their connection, but there is nothing hot. There are problems with drainage because it wasn't built like it was supposed to be and the detention pond isn't correct. The fence is somewhat up but it's mashed together to try to keep somebody out but one could get in if they really wanted to. There are several issues."

Mayor Mouton asked, "Can you estimate the percentage?"

Mr. Costlow answered, "I say probably about 69 to 70 percent."

Councilman Harrison asked, "Did we have any type of a performance bond?"

Mr. Jackson answered, "We had a payment and performance bond."

Councilman Harrison asked, "Are we going to exercise that performance bond?"

Mr. Jackson answered, "That is undetermined at this time. There are a number of issues involved in claiming the bond. The bonding company selects a person to come out and finish the job, there can be a number of issues involved in that."

Mayor Mouton asked, "So that will be explored as an option?"

Assistant Gary Jackson answered, "It certainly will be explored, but will not be automatic, but not ruled out either"

Mayor Mouton commented, "So the first step is what we are here to do."

Mr. Stokes commented, "We recommend to terminate the contract for cause."

Councilwoman Sinor asked, "How quickly would the letter be sent to them?"

Mr. Jay Stokes answered, "I would imagine tomorrow or the next day."

Councilman Patterson asked, "Are they working now?"

Mr. Costlow answered, "Yes, they are currently working. We had a meeting this morning and they have gotten a couple of minor issues fixed like we asked, but none of the major issues have been addressed."

Councilman Patterson asked, "What's their response?"

Mr. Costlow answered, "That they are going to get it done, just like they have said for several months. They have a tendency to say we are going to get it done this Friday and then another Friday goes by and we have a meeting and it's still not done and it's an excuse."

Councilman Patterson asked, "Do we have another contractor in mind?"

Mr. Costlow answered, "No sir, not at this time."

Councilwoman Sinor asked, "Do they have an idea that they are going to get fired or do they not even care?"

Mr. Stokes answered, "We have not had any direct discussion that this was coming before Council. It was posted 72 hours in advance, but beyond that, we have had no discussion."

Councilwoman Garrison asked, "What have we paid for this project so far?"

Mayor Mouton commented, "They are on a draw so they haven't been paid for the work they haven't done."

Mr. Costlow commented, "Correct, they have only been paid for the things that have been installed."

Councilwoman Garrison asked, "What about the work they did incorrectly? You said the berms are incorrect."

Mr. Costlow answered, "We have not paid for all the berms at this time just a percentage of it."

Mayor Mouton asked, "So part of the issues you are referring to have not been paid for yet?"

Councilman Harrison asked, "So the magic question is, are we going to have to pay more money to change to a new contractor?"

Mr. Stokes answered, "I wouldn't be surprised if we didn't but we don't know."

Mr. Costlow answered, "I don't have an answer to that."

Councilman Patterson commented, "My concern is whether or not we will ever complete this project."

Mr. Costlow answered, "There are provisions in the contract that cover if we terminate by cause, but without the City Attorney not here to say exactly those, I would not want to say but there are provisions in there."

Councilman Ginn asked, "Is there an estimated date that it will be finished?"

Mr. Costlow answered, "No sir. There is not?"

Councilman Ginn asked, "What is the worst case scenario or best case scenario?"

Mr. Costlow answered, "We would have to make a punch list item of what they have completed and didn't complete, which we have a pretty good idea of that. We would have to go back and look at all the stuff that we haven't seen and then find a contractor that will take care of that. There is a lot that we have to determine after this point."

Councilman Ginn asked, "So it could be another year?"

Councilman Patterson asked, "Are we prepared to cancel this contract? Do we have that punch list available?"

Mr. Costlow answered, "We are working on a draft to go over and do some changes to and get prepared and ready to go out."

Mayor Mouton commented, "They have enough on a list for just cause that they feel like legally they can terminate the contract."

Councilman Patterson asked, "Bottom line, you guys are ready to move then?"

Mayor Mouton answered, "They are."

Mr. Stokes commented, "This wasn't a knee jerk reaction."

Councilwoman Garrison commented, "One thing that bothers me, I am thinking of the future, you said we are 400 something days into this and they originally said 366?"

Mr. Costlow answered, "Yes, then we added 30 days a per change order so 390 would have been their contract days."

Councilwoman Garrison commented, "So we are about 70 something days over?"

Mr. Costlow answered, "They requested 80 rain days and we do not believe that they are warranted. We have checked the rain gauges and believe that half of that is warranted. At this time, no rain days have been granted."

Mr. Stokes commented, "Even if you granted the 80 rain days you would have ten days to finish project."

Councilwoman Garrison asked, "In hindsight, could we have gotten to this a little sooner? We have a lot of other construction projects going on now and we surely don't want to end up in the same place with them as we are here."



Mr. Costlow, "No, we have learned a big lesson on contractors on this one too. I don't think this will be a further issue. As far as we know, the Architect did do his due diligence in looking at references."

Councilwoman Garrison commented, "I understand that, you get what you get, but you don't know what you get."

Mr. Stokes commented, "The City can't tell them the means and methods."

Councilwoman Garrison asked, "But we do have control over their performance?"

Mr. Costlow answered, "Yes, we can push them to the best of our abilities but we have to stay within the contract as they have to stay within their contract, hence why we are here when they are not performing to their contract."

Councilman Patterson asked, "Help me understand something. We are 444 days and you mentioned 360 days, plus some additional days so that is 390, plus another 40 rain days? But the problem is not so much that, it is just the fact of their performance."

Mr. Costlow answered, "Correct. Also, in the first three months of the job we asked repeatedly to get on the job. They moved very slowly and took a long time to start the job. They were working on another job. So they didn't actually start physical construction until 60-90 days into the job."

Bob Hotten, CCPD Member commented, "I just think from the City's perspective, they have been more than patient with this company. We have sat in meetings where there has been one delay after another. They seem like silly delays. Of course, I am not a contractor but listening to Chief Grigg and what the Police Department had to deal with trying to move this people forward, I think we have been more than patient with this company."

Councilwoman Garrison commented, "Maybe too patient."

George Pinder, CCPD Member commented, "The only thing that bothers me is, will they go out and find a sympathetic judge to take action and cause this project to go for another five years."

Mayor Mouton answered, "No, I don't think so. I think we have reached a point on the legal side but we won't know until we start this action or we can just sit back and do nothing and hope they finish it in two years. We feel like we have just cause. We have legal counsel that we can terminate the contract. Hopefully, we are in the best position legally, where as if that becomes an issue and we do end up in court we have done our due diligence in making sure we have just cause. If not, we will deal with it then."

Mr. Hotten asked, "Do we anticipate an increase in cost in finding a new contractor?"

Mr. Stokes commented, "We don't know yet, but stands to reason."

Ms. Burke commented, "Especially in correcting the problems that were left by IKLO, probably will be more expensive."

Mr. Costlow commented, "We can't engage with another contractor until this process is done."

3. THE DEER PARK CRIME CONTROL AND PREVENTION DISTRICT WILL CONSIDER AND TAKE ACTION ON RECOMMENDING TO CITY COUNCIL THAT NOTICE OF TERMINATION BE GIVEN TO THE CONTRACTOR IKLO CONSTRUCTION ON THE POLICE FIRING RANGE AND CLASSROOM PROJECT, PURSUANT TO ARTICLE 15.02 OF THE GENERAL CONDITIONS OF THE CONTRACT – Motion was made by Bob Hotten and seconded by George Pinder on recommending to the City Council that notice of termination be given to the contractor IKLO Construction on the Police Firing Range and Classroom Project pursuant to Article 15.02 of the general conditions of the contract. Motion carried unanimously.
4. THE DEER PARK CITY COUNCIL WILL CONSIDER AND TAKE ACTION ON AUTHORIZING NOTICE OF TERMINATION TO BE GIVEN TO THE CONTRACTOR IKLO CONSTRUCTION ON THE POLICE FIRING RANGE AND CLASSROOM PROJECT, PURSUANT TO ARTICLE 15.02 OF THE GENERAL CONDITIONS OF THE CONTRACT – Motion was made by Councilwoman Garrison and seconded by Councilman Harrison to authorize the notice of termination to be given to the contractor IKLO Construction on the Police Firing Range and Classroom Project, pursuant to Article 15.02 of the general conditions of the contract.  
  
Motion carried 6 to 0
5. ADJOURN – Mayor Mouton adjourned the meeting on behalf of the City Council and President Burke adjourned the meeting on behalf of the CCPD at 5:37 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Shannon Bennett, TRMC  
City Secretary

\_\_\_\_\_  
Jerry Mouton  
Mayor

\_\_\_\_\_  
Shannon Burke, President  
Crime Control and Prevention District



## Legislation Details (With Text)

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**File #:** MIN 17-118    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** Agenda Ready  
**File created:** 9/1/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Approval of minutes of workshop minutes of August 15, 2017.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [CC\\_MW\\_081517](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Approval of minutes of workshop minutes of August 15, 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 AUGUST  
15, 2017, BEGINNING AT 6:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

MAYOR  
COUNCILWOMAN  
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 workshop to order at 6:30 p.m.
2. RECESS - EXECUTIVE SESSION – PERFORMANCE EVALUATION OF CITY MANAGER – Mayor Mouton recessed the meeting at 6:34 p.m. for an Executive Session.
3. RECONVENE – Mayor Mouton reconvened the meeting at 7:02 p.m.
4. DISCUSSION OF ISSUES RELATING TO INTRODUCTION OF TOUCHSTONE GOLF'S NEW LEADERSHIP TEAM AT THE BATTLEGROUND GOLF COURSE – Parks and Recreation Director Charlie Sandberg introduced Rich Earlywine as the new General Manager of the Battleground Golf Course. Mr. Sandberg commented, "We have met on several occasions to discuss the golf course. He has a lot of good ideas concerning the restaurant and many other items."
- Mr. Rich Earlywine introduced himself as the General Manager of the Battleground Golf Course and advised Council that one of his priorities is to get the menu at the Golf Course turned around. "I think in the next month or two you will start seeing some changes not only in the menu but the quality of the food and consistency." I will bring my experience to the Battleground to keep generating revenue and that customer service is on point all the time."
5. DISCUSSION OF ISSUES RELATING TO THE TRAFFIC STUDY CONDUCTED AT CENTER STREET AND RAILROAD AVENUE – Assistant City Manager, Gary Jackson commented, "You recall back in the Spring where we had a couple of incidents, where area truckers went over our Gateway, after that time, Council had discussion of possibly barricading that area. We had brought to you the idea of bringing in traffic engineers to analyze alternatives.

Mr. Terry McDaniel with Midtown Engineers has studied that and has provided you a copy of the engineering report. He will give a brief summary of his findings.”

Terry McDaniel of Midtown Engineers presented an overview of the results of the traffic study. Mr. McDaniel highlighted five intersections where traffic data was gathered in the peak periods of the day and analyzed by a program with an LOS rating system based on delay. “It’s the way the industry rates an intersection based on delay. “A” being very good and “F” being very poor and unacceptable.” As Mr. McDaniel presented the scenarios he referred to the level of service as A,B,C and D. The existing conditions with all intersections are operating at a level B. Alternative #1 is to close median on Center Street at Railroad Avenue. That intersection went down to a level D. Alternative #2 is to convert Railroad Avenue to a one way street westbound, between Robin Street and Center Street. This alternative does not change the level of service. Alternative #3 is to add a right turn only diverter at Railroad Avenue and Center Street. No change in the level of service. Alternative #4 is to add a non traversable directional median on Center Street that puts curved medians in the middle on Center Street. No change in the level of service. Mr. McDaniel made a recommendation to start with Alternative #3 and supplement with Alternative #4 and place a median on Center Street.

6. DISCUSSION OF ISSUES RELATING TO THE FY 2017-2018 DEER PARK COMMUNITY DEVELOPMENT CORPORATION BUDGET – City Manager Jay Stokes advised Council that action will be taken on this item in the regular meeting. City Manager Stokes opened the floor to any questions. None were asked.
7. DISCUSSION OF ISSUES RELATING TO ADDITIONAL MOWING CONTRACT SERVICES – Parks and Recreation Director Charlie Sandberg advised Council on adding services to the existing contract with Longclaw. The current contract is \$66,000, not to exceed the 25 percent increase allowed. Additional services are to spray Center Street, mow Center Street at least twice a week in June, July and August and to address some various ditches on Center Street as well as mowing on Temperance median.

Councilwoman Garrison asked, “Are you saying spraying the cracks on Center Street as we did on Luella? How are you going to do this during the day?”

Jacob Zuniga, Parks Operation Supervisor responded, “We would leave that up to the contractor to determine.”

Councilman Patterson asked, “Are you satisfied with the contractor’s work?”

Mr. Zuniga answered, “Yes, we are very satisfied with his work.”

8. DISCUSSION OF ISSUES RELATING TO THE RECLASSIFICATION OF TWO LIBRARY POSITIONS – Library Director Rebecca Pool advised Council of the four employees with Masters Degrees within the Library. There is an open position for Adult Services that currently serves as the Assistant Director. We have had a few experienced applicants, but each of those candidates ended up pursuing other opportunities. Bill Philibert, Human Resources Director, has done a salary survey and determined that the salary for current job posting is significantly less than market salary for an Assistant Library Director position. In order to fill this position, the Library would like to restructure two professional roles in order to create a new Assistant Director/Library Technical Services Supervisor (Grade 11) and a Head of Adult Services position (Grade 9). This would allow us to promote an existing employee who is currently the Library Technical Services Supervisor (Grade 9) into the Assistant Director/Library Technical Services Supervisor role and then create a new role, which would be the Head of Adult Services (Grade 9).

The current Library Technical Services supervisor holds a Masters of Library Science degree and has been with the Library since 2012. Increasing the pay grade of the Assistant Director position recognizes the added duties of this position and brings it in line with the market data. The increase in salary is projected to be approximately \$3,900.

9. ADJOURN – Mayor Mouton adjourned the workshop meeting at 7:30 p.m.

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Shannon Bennett, TRMC  
City Secretary

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Jerry Mouton  
Mayor



## Legislation Details (With Text)

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**File #:** MIN 17-117    **Version:** 1    **Name:**  
**Type:** Minutes    **Status:** Agenda Ready  
**File created:** 9/1/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Approval of minutes of regular minutes of August 15, 2017.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [CC\\_MR\\_081517](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Approval of minutes of regular minutes of August 15, 2017.

Summary:

Fiscal/Budgetary Impact:

None

Approval

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1693RD 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 AUGUST 15, 2017, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON  
SHERRY GARRISON  
THANE HARRISON  
TOMMY GINN  
BILL PATTERSON  
RAE SINOR

MAYOR  
COUNCILWOMAN  
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 – Councilwoman Rae Sinor led the Pledge of Allegiance to the United States Flag and the Texas Flag.
4. PRESENTATION - RECOGNITION OF 2017 PARTICIPANTS OF THE VIPAR PROGRAM - Athletic & Aquatics Coordinator, Debra Culp recognized the efforts of the 2017 participants of the City of Deer Park's VIPAR Program. Ms. Culp stated, "There are 18 volunteers this summer that have accumulated 1500 hours of volunteer work for the Parks & Recreation Department and without them, we would not be where we are today."
5. PRESENTATION - RECOGNITION OF 2017 PARTICIPANTS IN THE LIBRARY VOLUNTEENS PROGRAM - Library Director, Rebecca Pool recognized the 2017 participants of the City of Deer Park's Library Volunteens Program. The Children's Librarian, Susan Zykorie, introduced the 2017 participants of the City of Deer Park's Library VolunTeens Program to include Jaci Stokes, Jenna Smith, Karlee Kendrick, Will McDaniel, Brooke Harralson and Thomas Fields and presented Certificates of Appreciation to all present.



6. PUBLIC HEARING ON THE FY 2017-2018 BUDGET - The public hearing was opened by the City Secretary reading the Notice of Public Hearing. (Exhibit A)

Mayor Mouton called for those desiring to speak in favor of the FY 2017-2018 Budget. No one spoke.

Mayor Mouton called for those desiring to speak against the FY 2017-2018 Budget. No one spoke.

7. PUBLIC HEARING ON THE CCPD FY 2017-2018 BUDGET - The public hearing was opened by the City Secretary reading the Notice of Public Hearing. (Exhibit B)

Mayor Mouton called for those desiring to speak in favor of the CCPD FY 2017-2018 Budget. No one spoke.

Mayor Mouton called for those desiring to speak against CCPD Budget. No one spoke.

8. PUBLIC HEARING ON THE FCPMDS FY 2017-2018 BUDGET - The public hearing was opened by the City Secretary reading the Notice of Public Hearing. (Exhibit C)

Mayor Mouton called for those desiring to speak in favor of the FCPMDS FY 2017-2018 Budget.

- a. Sam Pipkin, President of the Fire Control District, commented "We have workshopped this budget presented by the Fire Chief and his Staff. The large ticket item we have this year is the expansion of Station Three for the EMS. The original footprint for that station was such that we could add bays to that station. That is our purpose this year. The entire amount has to be budgeted and has to be spent at one time for the building construction. I recommend approval of the Fire Control Budget. Thank You."

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

9. 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 special meeting on June 31, 2017.
- b. Approval of minutes of workshop meeting on August 1, 2017.
- c. Approval of minutes of regular meeting on August 1, 2017.
- d. Acceptance of Quarterly Investment Report (April- June 2017).
- e. Acceptance of completion of the Spencerview Athletic Complex Renovation Project.
- f. Authorization to seek bids for mowing services on East Blvd.

Councilwoman Sinor asked “Why is the mowing stopping at 13<sup>th</sup> Street and not going all the way to Hwy. 225?”

Parks Operation Supervisor Jacob Zuniga answered, “It does include that one median and goes go north to Highway 225 where the overpass is.”

Motion carried 6 to 0.

10. CONSIDERATION OF AND ACTION ON RENEWING THE AGREEMENT WITH VALLEY VIEW CONSULTING LLC FOR INVESTMENT ADVISORY SERVICES – Motion was made by Councilman Patterson and seconded by Councilwoman Garrison to renew the agreement with Valley View Consulting LLC for investment advisory services. Motion carried 6 to 0.
11. CONSIDERATION OF AND ACTION ON TO RENEW THE MOWING CONTRACT AND ADD ADDITIONAL SERVICES – Motion was made by Councilman Harrison and seconded by Councilman Patterson to renew the mowing contract and add additional services. Motion carried 6 to 0.
12. CONSIDERATION OF AND ACTION ON THE YOUTH SPORTS ORGANIZATION UTILIZATION AGREEMENT WITH THE QUEST YOUTH SOCCER CLUB FOR 2017 - Motion was made by Councilman Patterson and seconded by Councilwoman Sinor to approve the Youth Sports Organization utilization agreement with the Quest Soccer Club for 2017. Motion carried 6 to 0.
13. CONSIDERATION OF AND ACTION ON THE YOUTH SPORTS ORGANIZATION UTILIZATION AGREEMENT WITH THE DEER PARK PONY BASEBALL FOR 2017 – Motion was made by Councilwoman Garrison and seconded by Councilman Ginn to approve the Youth Sports Organization utilization agreement with the Quest Soccer Club for 2017. Motion carried 6 to 0.
14. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING A PUBLIC HEARING TO ADOPT STANDARDS OF CARE FOR THE AFTER SCHOOL PROGRAM – After a proposed ordinance was read by caption, motion was made by Councilman Harrison and seconded by Councilman Patterson to adopt on first and final reading Ordinance No. 3914, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK SETTING A DATE AND TIME FOR A PUBLIC HEARING ON THE CITY ADOPTING STANDARDS OF CARE FOR AN AFTER SCHOOL PROGRAM; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

15. CONSIDERATION OF AND ACTION ON THE RESULTS OF THE PUBLIC HEARING AND AN ORDINANCE ADOPTING THE FY 2017-2018 CRIME CONTROL AND PREVENTION DISTRICT BUDGET – After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Harrison to adopt on first and final reading of Ordinance No. 3915, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE 2017-2018 BUDGET FOR THE CRIME CONTROL AND PREVENTION DISTRICT; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

16. CONSIDERATION OF AND ACTION ON THE RESULTS OF THE PUBLIC HEARING AND AN ORDINANCE ADOPTING THE FY 2017-2018 FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT BUDGET – After a proposed ordinance was read by caption, motion was made by Councilman Harrison and seconded by Councilwoman Sinor to adopt on first and final reading of Ordinance No. 3916, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE 2017-2018 BUDGET FOR THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

17. CONSIDERATION OF AND ACTION ON AN ORDINANCE CHANGING THE TIME OF THE OCTOBER 3, 2017 REGULAR CITY COUNCIL MEETING FROM 7:30 P.M. TO 5:30 P.M. DUE TO NATIONAL NIGHT OUT – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Garrison to adopt on first and final reading of Ordinance No.3917, captioned as follows:

AN ORDINANCE RESCHEDULING THE REGULAR COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS; DESIGNATING ANOTHER TIME FOR SAID MEETING TO BE HELD; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

18. CONSIDERATION OF AND ACTION ON AN ORDINANCE APPROVING THE FISCAL YEAR 2017-2018 DEER PARK COMMUNITY DEVELOPMENT CORPORATION BUDGET – After the proposed ordinance was read by caption, motion was made by Councilwoman Sinor and seconded by Councilman Patterson to adopt on the first and final reading Ordinance No. 3918, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE 2017-2018 BUDGET FOR THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

19. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE FY 2016-2017 EMPLOYEE CLASSIFICATION SCALE FOR FULL TIME (CLASSIFIED) EMPLOYEES – After the proposed ordinance was read by caption, motion made by Councilwoman Garrison and seconded by Councilwoman Sinor to adopt on the first and final reading Ordinance No. 3919, captioned as follows:

AN ORDINANCE AMENDING THE FY 2016-2017 CLASSIFICATION SCALE FOR FULLTIME (CLASSIFIED) EMPLOYEES OF THE CITY OF DEER PARK; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

20. ADJOURN – Mayor Mouton adjourned the meeting at 8:03 p.m.

ATTEST:

APPROVED:

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Shannon Bennett, TRMC  
City Secretary

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Jerry Mouton  
Mayor



## Legislation Details (With Text)

**File #:** AUT 17-081    **Version:** 1    **Name:**  
**Type:** Authorization    **Status:** Agenda Ready  
**File created:** 8/9/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Authorization to advertise and receive bids for South Plant Lift Station Discharge Header Replacement Project.  
**Sponsors:** Public Works  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Authorization to advertise and receive bids for South Plant Lift Station Discharge Header Replacement Project.

Summary: Staff is requesting the authorization to advertise bids on the South Plant Lift Station Discharge Header Replacement. The budget for this project is \$100,000.00. The Engineer's estimate for the project is \$40,000.00. The project consist of replacing the Sanitary Sewer Lift Station header pipe to allow the system to be diverted to the new bypass system or to the existing 18" Force main. This allows the 18" force main to be taken offline and rehabilitated in a future project.

Fiscal/Budgetary Impact:

This is budgeted item out of account 4501-4410

Staff recommends approval.



## Legislation Details (With Text)

**File #:** GRT 17-009    **Version:** 1    **Name:**  
**Type:** Grants    **Status:** Agenda Ready  
**File created:** 8/22/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Consideration of and action on the applying for and accepting a grant through the Office of the Governor Criminal Justice Division to purchase rifle-resistant body armor.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Consideration of and action on the applying for and accepting a grant through the Office of the Governor Criminal Justice Division to purchase rifle-resistant body armor.

The Deer Park Police Department is seeking a grant through the Office of the Governor - Criminal Justice Division for the purchase of 36 sets of rifle resistant body armor. The grant will provide funding in the amount of \$23,410 for the purchase of the body armor. There is no match requirement for this grant. In 2017, the City of Deer Park purchased 23 sets of body armor for \$14,376, and the Citizens Police Academy Alumni Association purchased four of these vests for our Detectives in the amount of \$2,448. This grant will provide funding for the second purchase to fully outfit sworn personnel with the body armor.

**Summary:**

Presentation of and action on the seeking of a grant through the Office of the Governor Criminal Justice Division to fund the purchase of rifle-resistant body armor.

**Fiscal/Budgetary Impact:**

The grant will fully fund the purchase of rifle-resistant body armor and carriers, and will not require an in-kind match from the City of Deer Park.

Request approval to apply for and accept a grant through the Office of the Governor Criminal Justice Division to purchase rifle-resistant body armor.



## Legislation Details (With Text)

**File #:** TNT 17-002    **Version:** 1    **Name:**  
**Type:** Truth & Taxation    **Status:** Agenda Ready  
**File created:** 8/10/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Consideration of and action on submittal of the 2017 Tax Roll and the calculation of the Effective Tax Rate and the Rollback Tax Rate.  
**Sponsors:** Finance  
**Indexes:**  
**Code sections:**  
**Attachments:** [2017 Certification of Appraisal Roll](#)  
[2017 Tax Notice](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Consideration of and action on submittal of the 2017 Tax Roll and the calculation of the Effective Tax Rate and the Rollback Tax Rate.

Summary: In accordance with Section 26.04 of the Texas Property Tax Code, the following items are presented for Council consideration relative to Tax Year 2017:

Total Appraised Value = \$3,020,951,492

Total Exemptions = \$710,747,074

Total Taxable Value = \$2,310,204,418

Total Taxable Value of New Property = \$40,345,109

Total Taxable Value of Annexed Property = \$3,080,235

Total Uncertified = \$369,867,508

Calculated Effective Tax Rate = \$0.698346/\$100

Calculated Rollback Tax Rate = \$0.731012/\$100

Fiscal/Budgetary Impact: Current ad valorem taxes represent approximately 31 percent of the total General Fund revenue in the proposed Fiscal Year 2017-2018 budget.



Consideration and acceptance of the submitted 2017 Tax Roll and the calculated Effective Tax Rate and the Rollback Tax Rate.

HARRIS COUNTY APPRAISAL DISTRICT  
HOUSTON, TEXAS

THE STATE OF TEXAS, }  
COUNTY OF HARRIS. }

2017  
CERTIFICATION OF APPRAISAL ROLL AND  
LISTING OF PROPERTIES UNDER SECS. 26.01(c) AND (d)  
FOR  
City of Deer Park

Pursuant to Section 26.01(a), Texas Tax Code, I hereby certify the 2017 appraisal roll of properties taxable by City of Deer Park. The roll is delivered in electronic form.

The total appraised value now on the appraisal roll for this unit is: \$3,020,951,492

The taxable value now on the appraisal roll for this unit is: \$2,310,204,418

As required by Section 26.01(c), Texas Tax Code, I have included with your roll a listing of those properties which are taxable by the unit but which are under protest and are therefore not included in the appraisal roll values approved by the appraisal review board and certified above. My estimate of the total taxable value which will be assigned to such properties if the owners' claims are upheld by the appraisal review board is: \$189,361,537

Pursuant to Section 26.01(d), Texas Tax code, the estimated value of taxable property not under protest and not yet included on the certified appraisal roll, after hearing loss, is \$142,948,088

Signed this 25th day of August, 2017



*Roland Altinger*

Roland Altinger, CAE, RPA, CTA  
Chief Appraiser

ASSESSOR'S ACKNOWLEDGEMENT

As tax assessor/collector of the above-named taxing unit, I hereby acknowledge receipt of the certified 2017 appraisal roll on this the 21 day of August, 2017

*Jeffrey Johnson*

# NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF DEER PARK

A tax rate of \$0.720000 per \$100 valuation has been proposed for adoption by the governing body of City of Deer Park. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of City of Deer Park proposes to use revenue attributable to the tax rate increase for the purpose of infrastructure maintenance and improvements and public safety.

PROPOSED TAX RATE	\$0.720000 per \$100
PRECEDING YEAR'S TAX RATE	\$0.720000 per \$100
EFFECTIVE TAX RATE	\$0.698346 per \$100
ROLLBACK TAX RATE	\$0.731012 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Deer Park from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that City of Deer Park may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Jeffery Johnson  
City of Deer Park Tax Assessor Collector  
710 E. San Augustine St. Deer Park, TX 77536  
281-478-7231  
customerservice@deerparktx.org  
www.deerparktx.gov

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: September 25, 2017 at 5:30 PM at City of Deer Park Council Chambers 710 E. San Augustine St. Deer Park, TX 77536.

Second Hearing: October 3, 2017 at 5:30 PM at City of Deer Park Council Chambers 710 E. San Augustine St. Deer Park, TX 77536.



## Legislation Details (With Text)

**File #:** TNT 17-001    **Version:** 1    **Name:**  
**Type:** Truth & Taxation    **Status:** Agenda Ready  
**File created:** 8/10/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Consideration of and action to increase total tax revenues from properties on the tax roll by proposing to adopt a tax rate of \$0.720000 per \$100 valuation at a future meeting.  
**Sponsors:** Finance  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Consideration of and action to increase total tax revenues from properties on the tax roll by proposing to adopt a tax rate of \$0.720000 per \$100 valuation at a future meeting.

**Summary:** The Texas Constitution sets forth general requirements for truth-in-taxation, which include a number of public notices to inform taxpayers about local property taxes. When a proposed rate exceeds the rollback rate or the effective rate, whichever is lower, the taxing unit's governing body must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item. This vote must be recorded and the proposal must specify the desired rate. If the motion passes, the taxing unit must schedule two public hearings on the proposed rate.

For tax year 2017 (fiscal year 2017-2018), the effective tax rate is \$0.698346 per \$100 valuation and the rollback tax rate is \$0.731012 per \$100 valuation. The proposed tax rate is \$0.720000 per \$100 valuation, which exceeds the effective rate by \$0.021654. Because the proposed rate exceeds the lower of the rollback rate or the effective rate, the City Council must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item and in so doing, must specify the rate. If the motion passes, the City Council must schedule two public hearings on the proposal.

The recommended dates for said public hearings are Monday, September 25, 2017, at 5:30 p.m. and Tuesday, October 3, 2017, at 5:30 p.m. both to be held in the Council Chamber at City Hall. In accordance with the City's planning calendar, which is based on the truth-in-taxation requirements, the meeting to adopt the tax rate would be on Monday, October 9, 2017 at 5:30 p.m. in the Council Chamber at City Hall.

**Fiscal/Budgetary Impact:** Current ad valorem taxes represent approximately 31 percent of the total General Fund revenue in the proposed Fiscal Year 2017-2018 budget.

Take a record vote to increase the tax revenue for the 2017 tax year by proposing to adopt a tax rate of \$0.720000 per \$100 valuation at a future meeting.

**Note: the motion must include the amount of the proposed tax rate (\$0.720000 per \$100 valuation) to be adopted at a future meeting and the vote must be a record vote.**



## Legislation Details (With Text)

**File #:** ORD 17-056    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Agenda Ready  
**File created:** 8/10/2017    **In control:** City Council  
**On agenda:** 9/5/2017    **Final action:**  
**Title:** Consideration of and action on an ordinance calling two public hearings on the proposed 2017 Tax Rate.  
**Sponsors:** Finance  
**Indexes:**  
**Code sections:**  
**Attachments:** [Ord - Tax Increase Hearings 2017](#)  
[2017 Tax Notice](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Consideration of and action on an ordinance calling two public hearings on the proposed 2017 Tax Rate.

**Summary:** The Texas Constitution sets forth general requirements for truth-in-taxation, including a number of public notices to inform taxpayers about local property taxes. For tax year 2017 (fiscal year 2017-2018), the effective tax rate is \$0.698346 per \$100 valuation and the rollback tax rate is \$0.731012 per \$100 valuation. The proposed tax rate is \$0.720000 per \$100 valuation, which is the basis for the ad valorem tax revenue in the proposed Fiscal Year 2017-2018 budget. Because the proposed rate exceeds the lower of the rollback rate or the effective rate, the City Council must specify the proposed rate and take a record vote to adopt the rate at a future meeting. If the record vote to specify a proposed tax rate of \$0.720000 per \$100 valuation and adopt that rate at a future meeting passes, City Council must schedule two public hearings on that proposed tax rate.

In anticipation that City Council may take such action, the recommended dates for said public hearings, should they be required, are Monday, September 25, 2017, at 5:30 p.m. and Tuesday, October 3, 2017, at 5:30 p.m. both to be held in the Council Chamber at City Hall, 710 E. San Augustine, Deer Park, TX 77536. In accordance with the City's planning calendar, which is based on the truth-in-taxation requirements, the meeting to adopt the tax rate would be on Monday, October 9, 2017 at 5:30 p.m.

**Fiscal/Budgetary Impact:**

N/A.

Approve the ordinance calling two public hearings on the proposed tax rate for tax year 2017, should

they be required.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF DEER PARK SETTING DATES AND TIMES FOR PUBLIC HEARINGS OF THE PROPOSED PROPERTY TAX INCREASE FOR THE YEAR BEGINNING JANUARY 1, 2018; AND DECLARING AN EMERGENCY;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:**

**I.**

Pursuant to the provisions of Sections 26.05 and 26.06 of The Property Tax Code of the State of Texas, the City Council of the City of Deer Park, Texas, has called, and does hereby call two (2) Public Hearings to be held on **Monday, September 25, 2017 at 5:30 p.m.** and on **Tuesday, October 3, 2017 at 5:30 p.m.** in the City Council Chamber of City Hall at 710 E. San Augustine Street, Deer Park, Texas 77536, at which times and place they will hear all persons desiring to be heard on or in connection with any matter or question involving the proposed property tax increase for the City of Deer Park, Texas, for the year beginning **January 1, 2018**, which has been filed with the City Secretary and is available for inspection by all interested persons.

**II.**

The City Secretary is hereby directed to give notice of said hearing to the public as required by law.

**III.**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Government Code of the State of Texas.

**IV.**

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that the property tax increase should be adopted at the earliest possible moment to comply with the State Law, and to provide funds to continue uninterrupted police, fire and sanitary protection, and the essential services of water supply, garbage, and sewage disposal, thereby creating an



emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the \_\_\_\_ day of \_\_\_\_\_, 2017 **by a vote of** \_\_\_\_\_ **“Ayes” and** \_\_\_\_\_ **“Noes”**.

\_\_\_\_\_  
**MAYOR**, City of Deer Park, Texas

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED:**

\_\_\_\_\_  
City Attorney

# NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF DEER PARK

A tax rate of \$0.720000 per \$100 valuation has been proposed for adoption by the governing body of City of Deer Park. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of City of Deer Park proposes to use revenue attributable to the tax rate increase for the purpose of infrastructure maintenance and improvements and public safety.

PROPOSED TAX RATE	\$0.720000 per \$100
PRECEDING YEAR'S TAX RATE	\$0.720000 per \$100
EFFECTIVE TAX RATE	\$0.698346 per \$100
ROLLBACK TAX RATE	\$0.731012 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Deer Park from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that City of Deer Park may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Jeffery Johnson  
City of Deer Park Tax Assessor Collector  
710 E. San Augustine St. Deer Park, TX 77536  
281-478-7231  
customerservice@deerparktx.org  
www.deerparktx.gov

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: September 25, 2017 at 5:30 PM at City of Deer Park Council Chambers 710 E. San Augustine St. Deer Park, TX 77536.

Second Hearing: October 3, 2017 at 5:30 PM at City of Deer Park Council Chambers 710 E. San Augustine St. Deer Park, TX 77536.



## Legislation Details (With Text)

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**File #:** ORD 17-058    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Agenda Ready

**File created:** 8/9/2017    **In control:** City Council

**On agenda:** 9/5/2017    **Final action:**

**Title:** Consideration of and action on an ordinance adopting the Standards of Care for the All Star Activity Program for 2017-18 DPISD school year.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [City of Deer Park - Standards of After School Care-8-2017](#)  
[Standards of Care](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Consideration of and action on an ordinance adopting the Standards of Care for the All Star Activity Program for 2017-18 DPISD school year.

The standards of care is integrated into the Deer Park Parks and Recreation Department All Star Activity Program guidelines. The governing body of the municipality, our City Council, must approve through a formal action annually the standards of care. This meets the Texas Department of Family and Protective Services Child Care Minimum Standards.

None

Approve ordinance adopting Standards of Care for the All Star Activity Program for 2017-18 DPISD school year.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF DEER PARK ADOPTING STANDARDS OF CARE FOR THE CITY'S AFTER SCHOOL PROGRAM; AND DECLARING AN EMERGENCY.**

**WHEREAS,** the City of Deer Park has a long history of providing youth programs that contribute to the overall well being of Deer Park youth and families; and

**WHEREAS,** a hearing before the City Council was set for 7:30 p.m. on the 5th day of September, 2017, such date being at least seven (7) days after publication of the notice of such public hearing;

**WHEREAS,** the intent of the City is to adopt Standards of Care for its After School Program that fulfill the requirements of Section 42.041 of the Texas Human Resources Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK;**

**Section 1.** The Standards of Care for the City of Deer Park's After School Program as set out on Exhibit "A", which are incorporated herein by reference for all intents and purposes, **ARE HEREBY ADOPTED BY THE CITY OF DEER PARK:**

**Section 2.** It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

**Section 3.** The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare in that the Standards of Care for an After School Program be adopted at the earliest possible moment to comply with State Law, and to provide protection for persons within the City, thereby creating an emergency, for which the

Charter requirement providing for the reading of ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, **by a vote of** \_\_\_\_\_ **“Ayes” and** \_\_\_\_\_ **“Noes”**.

\_\_\_\_\_  
**MAYOR**, City of Deer Park, Texas

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED:**

\_\_\_\_\_  
City Attorney

## **DEER PARK AFTER SCHOOL PROGRAM**

### **STANDARDS OF CARE**

The following Standards of Care have been adopted by the City Council of the City of Deer Park, Texas to comply with Senate Bill 212 as approved by the Texas Legislature during the 74 legislative session. The Standards of Care are intended to be minimum standards by which the City of Deer Park Parks and Recreation Department will operate the City's After School Program. The program operated by the City are recreation in nature and are not day care programs.

#### **General Administration**

##### **1. Organization**

- A. The governing body of the City of Deer Park After School Program is the Deer Park City Council.
- B. Implementation of the After School Program Standards of Care is the responsibility of the Parks and Recreation Department Director and Departmental employees.
- C. Each After School Program site will have available for public and staff review a current copy of the Standards of Care.
- D. Parents of participants will be provided a current copy of the Standards of Care during the registration process.
- E. Criminal background checks will be conducted on prospective After School Program employees. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment.
  - (1) a felony or a misdemeanor classified as an offense against a person or family;
  - (2) a felony or misdemeanor classified as public indecency;
  - (3) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance.
  - (4) any offense involving moral turpitude;
  - (5) any offense that would potentially put the City of Deer Park at risk.

## 2. Inspections/Monitoring/Enforcement

- A. A monthly inspection report will be initiated by the Coordinator of the Program to confirm the Standards of Care are being adhered to.
  - (1) Inspection reports will be sent to the Director for review and kept on record for at least two years.
  - (2) The Director will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. The Recreation Supervisor will make visual inspections of the Program based on the following schedule.
  - (1) Each After School Program site will be inspected bimonthly.
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible to take the necessary steps to resolve the problems. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Coordinator. Serious complaints regarding enforcement of the Standards of Care will be addressed by the Director and the complaint and the resolution will be noted.

## 3. Enrollment

- A. Before a child can be enrolled, the parents must sign registration forms that contain the child's:
  - (1) name, address, home telephone number;
  - (2) name and address of parents and telephone during program hours;
  - (3) the names and telephone numbers of people to whom the child can be released;
  - (4) a statement of the child's special problems or needs;
  - (5) emergency medical authorization;
  - (6) proof of residency when appropriate; and
  - (7) a liability waiver.

## 4. Suspected Abuse

Program employees will report suspected child abuse in accordance with the Texas Family Code. *In a case where a city employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the Recreation Supervisor. The Supervisor will immediately notify the Police Department and any other agency as may be appropriate.*

## **Staffing - Responsibilities and Training**

### **5. After School Program Coordinator Qualifications**

- A. Coordinators will be full-time, professional employees of the Deer Park Parks and Recreation Department and will be required to have all Program Leader qualifications as outlined in Section of this document.
- B. Coordinators must be at least 21 years old.
- C. Coordinators must have at least an Associate's degree from an accredited college or university. Acceptable degrees include:
  - (1) Recreation Administration or General Recreation
  - (2) Physical Education
  - (3) Any other comparable degree plan that would lend itself to working in a public recreation environment.
- D. Coordinators must have two years experience planning and implementing recreation activities.
- E. Coordinators must be able to pass a background investigation including testing for illegal substances.
- F. Coordinators must have successfully completed a course in first aid and Cardio Pulmonary Resuscitation (CPR) based on either American Heart Association or American Red Cross Standards.
- G. Coordinators must be able to furnish proof of a clear tuberculosis test within 12 months prior to their employment date.

### **6. Coordinator's Responsibilities**

- A. Coordinators are responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.
- B. Coordinators are responsible to recommend for hire, supervise, and evaluate Leaders.
- C. Coordinators are responsible to plan, implement, and evaluate programs.

### **7. After School Program Leader Qualifications**

- A. Leaders will be part-time or temporary employees of the Parks and Recreation Department.



- B. Staff working with children must be age 16 or older; however, each site will have at least one employee 18 years old or older present at all times.
  - C. Leaders should be able to consistently exhibit competency, good judgement, and self-control when working with children.
  - D. Staff must relate to children with courtesy, respect, tolerance, and patience.
  - E. Leaders must have successfully completed a course in first aid and CPR based on either American Heart Association or American Red Cross standards. An exception can be made for no more than one staff person at each site, and that person shall successfully complete a first aid and CPR course within four weeks of starting work.
  - F. Each Leader applicant must be able to furnish proof of a clear tuberculosis test within the 12 months prior to their employment date.
  - G. Leader must pass a background investigation including testing for illegal substances.
8. **Leader Responsibilities**
- A. Leaders will be responsible to provide participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
  - B. Leaders will be responsible to know and follow all City, Departmental, and Program standards, policies, and procedures that apply to the Deer Park After School Program.
  - C. Leaders must ensure that participants are released only to a parent or an adult designated by the parent. All Program sites will have a copy of the Department approved plan to verify the identity of a person authorized to pick up a participant if that person is not known to the Leader.
9. **Training / Orientation**
- A. The Department is responsible to provide training and orientation to Program employees in working with children and for specific job responsibilities. Coordinators will provide each Leader with a Program manual specific to each Youth Program.
  - B. Leaders must be familiar with the Standards of Care for After School Program operation as adopted by the City Council.

- C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures; provision of recreation activities; safety issues; child psychology; and organization.
- F. Program employees will be required to sign an acknowledgment that they received the required training.

## **Operations**

### **10. Staff-Participant Ratio**

- A. In the Deer Park After School Program, the standard ratio of participants to Leaders is 20 to 1. In the event a Leader is unable to report to the Program site, a replacement will be assigned.
- B. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special problems as identified by the participant's parent during the registration process.

### **11. Discipline**

- A. Program employees will implement discipline and guidance in a consistent manner based on the best interest of Program participants.
- B. There must be no cruel or harsh punishment or treatment.
- C. Program employees may use brief, supervised separation from the group if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incidents.
- E. A sufficient number and / or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended from the Program.
- F. In instances where there is a danger to participants or staff, offending participants will be removed from the Program as soon as possible.

12. Programming

- A. Program employees will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and well-being. The activities also must be flexible and promote the participants' emotional, social, and mental growth.
- B. Program employees will attempt to provide indoor and outdoor time periods to include:
  - (1) alternating active and passive activities.
  - (2) opportunity for individual and group activities, and
  - (3) outdoor time each day weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
  - (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
  - (2) Program employees must have a written list of the participants in the group and must check the roll frequently.
  - (3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.

13. Communication

- A. Each Program site will have a telephone to allow the site to be contacted by Recreation Center personnel, for use in contacting the Recreation Center or making emergency calls.
- B. The Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site.
  - (1) Deer Park ambulance or emergency medical services.
  - (2) Deer Park Police Department.
  - (3) Deer Park Fire Department.
  - (4) The Deer Park Community Center.

- (5) Numbers at which parents may be reached.
- (6) The telephone number for the site itself.
- (7) All necessary Departmental Supervisor's telephone and pager numbers.

14. Transportation

- A. Before a participant may be transported to and from City sponsored activities, a transportation form, completed by a parent of the participant, must be filed with the Coordinator.
- B. First aid supplies and a first aide emergency care guide will be available in all Program vehicles that transport children.
- C. All Program vehicles used for transporting participants must have available a 6-BC portable fire extinguisher which will be installed in the passenger compartment of the vehicle and which must be accessible to the adult occupants.

**Facility Standards**

15. Safety

- A. Program employees will inspect After School Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants. A daily inspection report will be completed by the Program staff and kept on file by the Program Coordinator.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies must be safe for the participant's use.
- D. Program employees must have first aid supplies available at each site, during transportation, and for the duration of any off-site activity.
- E. Program air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.
- F. Program porches and platforms more than 30 inches above the ground must be equipped with railings participants can reach.
- G. All swing seats at Program sites must be constructed of durable, lightweight, relatively pliable material.
- H. Program employees must have first aide supplies readily available to staff in a

designated location. Program employees must have an immediately accessible guide to first aid and emergency care.

16. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program employees first priority is to evacuate the participants to a designated safe area.
- B. The program site will have an annual fire inspection by the local Fire Marshall, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review and establish deadlines and criteria for compliance.
- C. Each Program site must have at least one fire extinguisher approved by the Fire Marshall readily available to all Program employees. The fire extinguisher is to be inspected monthly by the Program Coordinator, and a monthly report will be forwarded to the Coordinator's supervisor who will keep the report on file for a minimum of two years. All After School Program staff members will be trained in the proper use of fire extinguisher.
- D. Fire drills will be initiated at Program sites based on the following schedule.
  - (1) After School Program: A fire drill once every three months (Program employees will confer with school staff to ensure that City and school procedures do not conflict.)

17. Health

- A. Illness or Injury
  - (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
  - (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
  - (3) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.
  - (4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.
- B. Program employees will administer medication only if:
  - (1) Parent(s) must complete and sign a medication form that provides

authorization for staff to dispense medication with details as to times and dosages. The form will include a hold harmless clause to protect the City.

- (2) Prescription medications are in the original containers labeled with the child's name, a date, directions, and the physician's name. Program staff members will administer the medication only as stated on the label. Program staff will not administered medication after the expiration date.
- (3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. The Program staff will administer it only according to label direction.
- (4) Medications dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of the Program employees. No injections will be administered by the Program employees.
- (5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

**C. Toilet Facilities**

- (1) The Program site will have inside toilets located and equipped so children can use them independently and program staff can supervise as needed.
- (2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but must not exceed 50% of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

**D. Sanitation**

- (1) The Program facilities must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from the buildings daily.



## Legislation Details (With Text)

**File #:** ORD 17-059    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Agenda Ready

**File created:** 9/1/2017    **In control:** City Council

**On agenda:** 9/5/2017    **Final action:**

**Title:** Consideration of and action on an ordinance ratifying the mayor's emergency disaster declaration of August 25, 2017, and extending the disaster for community recovery.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Declaration of Disaster](#)  
[City of Deer Park- Ordinance Harvey](#)

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council		

Consideration of and action on an ordinance ratifying the mayor's emergency disaster declaration of August 25, 2017, and extending the disaster for community recovery.

### Summary:

Forecasts from the National Weather Service predicted record-setting rainfall amounts in the Deer Park area from Tropical Storm/Hurricane Harvey. At the request of the City Manager, the Mayor issued an emergency disaster declaration beginning at 3:00PM on Friday, August 25. Between that time and Wednesday, August 30, the City of Deer Park received over 45 inches of rainfall (some accounts suggest 55 inches). There were several dozen homes, and potentially some commercial buildings, that sustained damage from floodwater infiltration. Emergency operations during the periods of rainfall included rescuing residents from their vehicles on flooded roadways, placement of portable pumps to prevent additional structural flooding, and emergency debris removal to ensure that the drainage system remained clear and the roadways remained passable by emergency responders. The community was also asked to support an emergency shelter for displaced residents of neighboring communities. Our city leadership, and the community as a whole, responded immediately and wholeheartedly.

Due to the extensive rainfall and the damage sustained within the community, the disaster declaration should continue during community recovery operations.

### Fiscal/Budgetary Impact:

Emergency response and recovery costs associated with Hurricane Harvey will be linked to a specific Project Fund within the City's reserve funds. An application will be made for Public Assistance

reimbursement through FEMA.

Staff recommends approval





## **DECLARATION OF DISASTER**

**WHEREAS**, the City of Deer Park, Texas, on the 25th day of August, 2017, has suffered widespread or severe damage, injury, or loss of life or property (or there is imminent threat of same) resulting from Hurricane Harvey.

**WHEREAS**, the Mayor of the City of Deer Park, Texas, has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

**NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF DEER PARK, TEXAS:**

1. That a local state of disaster is hereby declared for the City of Deer Park, Texas, pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Deer Park, Texas.
3. Pursuant to §418.018(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.018(d) of the Government Code, this declaration of local state of disaster activates the city emergency management plan.
5. That this proclamation shall take effect immediately from and after its issuance.

**ORDERED** this the 25th day August 2017.

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**JERRY MOUTON, MAYOR**  
City of Deer Park, Texas

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, RATIFYING THE DECLARATION OF DISASTER DATED AUGUST 25, 2017 FOR HURRICANE HARVEY AND EXTENDING THE DISASTER PERIOD THROUGH SEPTEMBER 2, 2017 FOR EMERGENCY DEBRIS REMOVAL AND DECLARING AN EMERGENCY.**

**WHEREAS**, by the Declaration of Disaster issued on August 25, 2017 by the Mayor declaring a state of disaster for the City of Deer Park, Texas, based upon the arrival of Hurricane Harvey and unprecedented flooding, and

**WHEREAS**, the City of Deer Park was impacted by Hurricane Harvey and sustained widespread and severe economic and social disruption due to the extreme flooding; **NOW THEREFORE**,

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:**

**Section 1:** That all matter and facts set forth in the recitals herein above are found to be true, and such recitals are hereby approved and made a part of this Ordinance for all purposes and are adopted as findings by the City Council of the City of Deer Park, Texas.

**Section 2:** That the City Council of Deer Park ratifies the Mayor's Declaration of Disaster, and hereby extends the disaster period until September 2, 2017 for Emergency Debris Removal.

**Section 3:** This Ordinance shall be and remain in full force and effect from and after its passage and approval.

**Section 4:** It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

**Section 5:** The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare in that the Declaration of Disaster be ratified at the earliest possible moment to comply with State Law, and to provide protection for persons within the City, thereby creating an emergency, for which the Charter requirement providing for the reading of ordinances on

three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by a vote of \_\_\_\_\_ “Ayes” and \_\_\_\_\_ “Noes”.

\_\_\_\_\_  
**MAYOR**, City of Deer Park, Texas

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED:**

\_\_\_\_\_  
City Attorney