

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

James Stokes, City Manager
Gary Jackson, Assistant City Manager



Jerry Mouton Jr. , Mayor

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

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

Ordinance #4003

Resolution #2018-11

CALL TO ORDER

The 1717th meeting of the Deer Park City Council.

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Recognition of the Fireballs Volleyball Team. [PRE 18-023](#)
2. Special Presentation - Deer Park Girls Softball 6U All Star Team. [PRE 18-024](#)
Recommended Action: Wild applause.
3. Presentation of the Deer Park Toros Baseball Team. [PRE 18-025](#)

CONSENT CALENDAR

4. Approval of minutes of workshop meeting on August 21, 2018. [MIN 18-117](#)
Recommended Action: Approval
Attachments: [CC MW 082118](#)
5. Approval of minutes of regular meeting on August 21, 2018. [MIN 18-118](#)
Recommended Action: Approval
Attachments: [CC MR 082118](#)
6. Authorization to advertise and receive bids for the Deer Park EMS Station. [AUT 18-064](#)
Recommended Action: Authorize publication and bidding process

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.

7. Acceptance of completion and retainage release for South Lift Station Discharge Header Modifications Project. [ACT 18-030](#)

Recommended Action: Staff is requesting acceptance of the project and release of retainage

Department: Public Works

Attachments: [Closeout Pay estimate for South Lift Station mods](#)

COMMENTS FROM AUDIENCE

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

NEW BUSINESS

8. Consideration of and action on casting a ballot for Region 14 Representative to the TML-MIEBP Board of Trustees. [ELE 18-003](#)

Recommended Action: Approval is recommended.

Department: Office of the Mayor

Attachments: [TMLMIEBP Ballot \(2018\)](#)

9. Consideration of and action on casting the City of Deer Park's votes in the Election of Members of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool (TML-IRP), Places 11 - 14. [OFC 18-004](#)

Recommended Action: Cast ballot voting for TML-IRP Board of Trustees Places 11 - 14.

Department: Office of the Mayor

Attachments: [TMLIRP - 2018 Ballot](#)

10. Consideration of and action on submittal of the 2018 Tax Roll and the calculation of the Effective Tax Rate and the Rollback Tax Rate. [TNT 18-001](#)

Recommended Action: Consideration and acceptance of the submitted 2018 Tax Roll and the calculated Effective Tax Rate and the Rollback Tax Rate.

Department: Finance

Attachments: [2018 Certification of Appraisal Roll](#)

[2018 Tax Notice](#)

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.

11. 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 18-002](#)

Recommended Action: Take a record vote to increase the tax revenue for the 2018 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

12. Consideration of and action on an ordinance calling two public hearings on the proposed 2018 Tax Rate. [ORD 18-068](#)

Recommended Action: Approve the ordinance calling two public hearings on the proposed tax rate for tax year 2018, should they be required.

Department: Finance

Attachments: [2018 Tax Notice](#)
[Ord - Tax Increase Hearings 2018](#)

13. Consideration of and action on an ordinance appointing three members of the Crime Control and Prevention District of the City of Deer Park. [ORD 18-070](#)

Recommended Action: Approve the ordinance.

Department: City Manager's Office

Attachments: [Crime Control and Prevention-3 Members-expire 2020-08-2018](#)

14. Consideration of and action on an ordinance appointing three members of the Fire Control, Prevention and Emergency Medical Services District of the City of Deer Park. [ORD 18-071](#)

Recommended Action: Approve the ordinance.

Department: City Manager's Office and City Council

Attachments: [Ordinance - Appt Fire Control Emergency Medical Service-3 members-exp 202](#)

15. Consideration of and action on an ordinance amending the Fiscal Year 2017-2018 Budget for the Capital Improvement Fund Budget. [ORD 18-075](#)

Recommended Action: Approve the ordinance amending the Fiscal Year 2017-2018 Budget for the Capital Improvement Fund Budget.

Attachments: [Ord - Amend Budget FY18 Capital Improvements Fund \(Dow Park\)](#)

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16. Consideration of and action on proposed change order on the Dow Park Pavilion and Improvements project. [CHO 18-004](#)

Recommended Action: Approve proposed change order on the Dow Park Pavilion and Improvements project.

Department: City Manager's Office

Attachments: [20180829112726005](#)
[Change Order - Dow Park Millis](#)
[20180829130416729](#)

17. Acceptance of completion and retainage release for DPCDC Dow Park Pavilion Project. [ACT 18-032](#)

Recommended Action: Staff is requesting acceptance of the project and release of retainage.

Department: Parks & Recreation

Attachments: [20180829130416729](#)
[Change Order - Dow Park Millis](#)
[20180829112726005](#)

18. Consideration of and action on adopting an ordinance for a cross-connection (backflow) control program and revising the Appendix B - Fee Schedule. [ORD 18-067](#)

Recommended Action: Staff recommends approval of this Ordinance and associated fees.

Department: Public Works

Attachments: [Add 18-507-Cross Connection Control Program-08-2018](#)

19. Consideration of and action on an ordinance calling a public hearing to adopt Standards of Care for the All Star Activity Program. [ORD 18-072](#)

Recommended Action: Approve the ordinance.

Department: City Manager's Office

Attachments: [Hearing-After School Care-9-25-2018-](#)

ADJOURN

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
August 31, 2018

City Hall is wheelchair accessible and accessible parking spaces are available. Hearing assistance devices are available. Requests for accommodations 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 #: PRE 18-023 **Version:** 1 **Name:**
Type: Presentation **Status:** Agenda Ready
File created: 8/28/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Recognition of the Fireballs Volleyball Team.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Recognition of the Fireballs Volleyball Team.

The Fireballs Volleyball Team will be in attendance along with Jo Kiefer & Ainsley Spencer.

Summary: Fireballs Unified Volleyball Team along with Jo Kiefer & Ainsley Spencer participating in Bocce Were chosen to participate in Special Olympics USA Games in Seattle Washington during The week of 7/1/18 thru 7/6/18. The event was at the University of Washington and we stayed In the college dorms.

Our unified volleyball team was the only team from Texas chosen to represent the State of Texas.

Ainsley and Jo were the only athletes from Houston area to participate along with a few other athletes From other cities in Texas.

Fireballs Unified Volleyball Team, we came home with Bronze Medal (3rd Place).

The competition was on a very high level so we had to play very hard. We had great athletes And partners and had so many compliments on their sportsmanship and manners on and off the Courts.

Renee Calhoun, Partner

Bubba Calhoun, Partner

Allyson Combs, Partner

Hayden Dyson, Partner

Jeremy Fox, Athlete

Rafael Guajardo, Athlete

Bonny Newman, Athlete

Krys Newman, Partner

Jimmy Shannon, Athlete

Kim Weiser, Partner

Rebecca Weiser, Partner

Matt Weiser, Athlete

Rory Fox, Head Coach

Mary Ann Fox, Assistant Coach

John Weiser, Assistant Coach

Bocce - The ladies also played at a very high level of competition. We enjoyed watching and cheering them on as they tried to strategically out do their competition.

Ainsley Spencer & Jo Kiefer participated in Unified Doubles - Gold Medal 1st Place

Ainsley Spencer & Jo Kiefer participated in Unified Team Play- 5th Place

Ainsley Spencer participated in Singles- Bronze Medal 3rd Place

The weather was great the week we spent out there we were able to go to Mariners Game one evening.

We were very excited that our Volleyball Venue was close to the Bocce Venue and was able to watch

And support each other and our Team of Deer Park Fireballs.

Deer Park would have been very proud of this group out there representing Deer Park and the State of Texas.

Fiscal/Budgetary Impact:



Legislation Details (With Text)

File #: PRE 18-024 **Version:** 1 **Name:**
Type: Presentation **Status:** Agenda Ready
File created: 8/28/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Special Presentation - Deer Park Girls Softball 6U All Star Team.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Special Presentation - Deer Park Girls Softball 6U All Star Team.

Summary:

The 6U Deer Park Heavy Hitters softball team played in 7 tournaments around the Greater Houston Area this summer. They took home 1st Place in all 7, including the ASA Houston Metro Championship. In the process of winning all of these tournaments they compiled a record of 46-2.

Player # Name

27 Dakota Cromeens
16 Lizzie Hill
5 Baylee Gressett
34 Madilynn Ponce
12 Taylor O'Dette
99 Kate Freeman
15 Peyton Wilson
6 Aubree Chapa
1 Kalissa Telles
2 Kayleigh Highfill
13 Skylar Williams
14 Yareli Mendez

Coaches:

Suzy Cromeens
Leigh-Ann Hill
Carlos Chapa

David Freeman
Justin Wilson

Fiscal/Budgetary Impact:

N/A

Wild applause.



Legislation Details (With Text)

File #: PRE 18-025 **Version:** 1 **Name:**
Type: Presentation **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Presentation of the Deer Park Toros Baseball Team.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation of the Deer Park Toros Baseball Team.

Summary:

The team name is The Deer Park Toros 10UAAA

Season record was Wins 30, Losses 15, Ties 1

Three first place championships including the final USSSA Global World Series 10U Open at Corpus Christi, Tx

One runner up in a championship game

Head coach: Ignacio Izaguirre

Coach: Victor West

Coach: Danny Dinh

Coach: Joe Terry

Players:

#22 Dominic Davila

#15 Jason Dinh

#77 Matthew Maduzia

#48 Braedan Terry

#32 Matthew Izaguirre

#27 Dylan West

#24 Reilly Hellyer

#3 Nathan Johnson

#21 Mason Hill

#20 Jayden Torres

Fiscal/Budgetary Impact:

N/A



Legislation Details (With Text)

File #: MIN 18-117 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Approval of minutes of workshop meeting on August 21, 2018.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MW_082118](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Approval of minutes of workshop meeting on August 21, 2018.

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 21, 2018, BEGINNING AT 6:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON
SHERRY GARRISON
TOMMY GINN
BILL PATTERSON
RON MARTIN
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 workshop to order at 6:30 p.m.
2. EXECUTIVE SESSION- CONSULTATION WITH CITY ATTORNEY – POTENTIAL LITIGATION – Mayor Mouton recessed the meeting at 6:30 p.m. for an Executive Session.
3. RECONVENED – Mayor Mouton reconvened the workshop meeting at 6:53 p.m.
4. DISCUSSION OF ISSUES RELATING TO CONSTRUCTION OF NEW FENCING ALONG THE NORTHEAST PERIMETER OF THE NEW CITY HALL – City Manager, Jay Stokes, gave an overview of the possibility of adding new fencing along the northeast property line of the new City Hall, where municipal property abuts the backyards of homeowners on the west side of Dunn Circle. These residents addressed City officials earlier this year to request this fencing. Installation of a new fence will create an improved sight and sound barrier between City Hall and these homes. Specifically, they have asked for fencing composed of brick and wood, tall enough to allow privacy and to deter vehicles from crossing into their homes. The City's fencing regulations limit final construction height to 6' 6" and in order to accommodate the Dunn Circle neighbors' request for a 7 foot tall fence, the Zoning Board of Adjustment must grant a variance to allow that. The style of fence is beyond the customary scope of work

of a traditional fencing company. Pricing from a multi-disciplinary contractor, Construction LTD., the same contractor who built the new City Hall, estimated a price to be \$60,000. Every citizen involved with this issue is also requesting gates. A legitimate concern for the City is the future maintenance of the fence if provided. Another option discussed, if agreed upon, was to build a more traditional fence with bollards.

Mayor Mouton commented, "I would like to have some of these issues and questions answered from at least Council as to what direction we would want Staff to take. I think we should stick to our ordinances. We should be reasonable in regards to what is currently there and have some general expectations of replacing it."

Councilwoman Garrison commented, "It is too expensive. I am surprised that is what they think they are entitled to."

Mr. Stokes commented, "In fairness to the citizens, I do not know if they are aware what the cost differential is."

Councilwoman Sinor commented, "Sounds like they have done their homework."

Councilwoman Garrison asked, "Would the brick be the same as City Hall?"

Mayor Mouton commented, "It is allowable to build a fence, it just could not be over 6'6" tall. What is wrong with just replacing what is already there?"

Councilwoman Sinor asked, "Is Mr. Tucker the only house suffering from the lighting?"

Mr. Stokes responded, "Mr. Tucker's neighbor to the north has also mentioned it."

Public Works Director, Bill Pedersen, commented, "The parking lot lights have been turned off and do not come on at night. They will not be turned on until the deflectors are on."

Councilwoman Sinor commented, "I am in agreement to build a fence, just not a \$60,000 dollar fence. I just think that is unreasonable."

Councilwoman Sinor asked, "Can you advise about the details of the bollards?"

Mr. Pedersen responded, "Most of them are like the drive through window, just a bit shorter."

Mayor Mouton asked, "What is the standard process of putting these bollards in?"

Mr. Pedersen commented, "In order to place them correctly, we would have to look at where the storm and sanitary sewers are located."

Councilman Martin commented, "The citizens want it for safety reasons. I just don't see a car picking up speed in the parking lot."

Mr. Pedersen commented, “The driveway was designed as a narrow driveway to keep the speed down.”

Mr. Stokes advised Council that Staff would communicate with Mr. Tucker and his neighbors to discuss the concerns of the cost for the fence that is being requested, and to relay Council’s willingness to put up a traditional style, wooden, 6’6” foot fence with gates that would have to be maintained by the citizens after the fence is put in. Mr. Stokes advised Council that Staff would discuss the bollard recommendation as well.

5. DISCUSSION OF ISSUES RELATING TO THE FISCAL YEAR 2018-19 DEER PARK COMMUNITY DEVELOPMENT CORPORATION BUDGET – Finance Director, Donna Todd advised Council of the Deer Park Community Development Corporation preliminary budget for the DPCDC for Fiscal Year 2018-2019 that was presented for discussion at the April 23, 2018 DPCDC Board Meeting. The Board of Directors approved the Fiscal Year 2018-2019 DPCDC Budget at the July 23, 2018 Board Meeting and recommended that the budget be submitted to the City Council for approval. This Fiscal Year 2018-2019 budget for the DPCDC includes total revenues of \$2,801,100 (tax revenue and investment revenue) and total expenditures of \$1,531,926 (services, supplies and operating transfers to the City to pay for the debt service costs on the bonds funding the approved capital projects and pay-as-you go funding on approved capital projects).
6. DISCUSSION OF ISSUES RELATING TO ENTERING INTO A PROFESSIONAL SERVICE CONTRACT WITH AN ARCHITECT FOR THE JIMMY BURKE CENTER – City Manager, Jay Stokes, discussed the possibility of entering into a professional service contract with an architect for the Jimmy Burke Activity Center. Cre8 Architects recently designed the new Deer Park City Hall. Cre8 Architects recently completed our new City Hall and has expressed an interest in providing architectural programming services on the Jimmy Burke Activity Center (JBAC) and adjoining Visitor Center. Mr. Stokes presented a statement of qualifications submitted by the firm that includes a cover letter expressing interest, list of current projects under design and construction and photographs of representative projects. (Exhibit A1-A5)

Councilwoman Garrison asked, “How does George Watanabe know what we want and need?”

Mr. Stokes responded, “I think he would start by asking us those questions of what we want and need.”

Councilwoman Garrison asked, “Will this be similar to last time? Will Staff be involved to clarify what we need and to make sure we get it right?”

Mr. Stokes responded, “I expect it to be similar to how it was last time.”

Mayor Mouton commented, “I think it would be to our advantage to be all in line with Staff and explore what we need currently and in future use.”

Assistant City Manager, Gary Jackson commented. “We would like to look at the whole site plan including utilities to make sure there is sufficient sewer and water to support a much larger facility. The concept would be that the building would have to be built prior to the current building being demolished. Placement of the building would have to be taken into account for all of this to be accomplished. Looking at the whole overall site will be very important.”

7. ADJOURN – Mayor Mouton adjourned the workshop meeting at 7:23 p.m.

Shannon Bennett, TRMC
City Secretary

Jerry Mouton
Mayor



Legislation Details (With Text)

File #: MIN 18-118 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Approval of minutes of regular meeting on August 21, 2018.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MR_082118](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Approval of minutes of regular meeting on August 21, 2018.

Summary:

Fiscal/Budgetary Impact:

None

Approval

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 171⁶th 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 21, 2018, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON
SHERRY GARRISON
TOMMY GINN
BILL PATTERSON
RON MARTIN
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 2018 PARTICIPANTS OF THE VIPAR PROGRAM - Athletic & Aquatics Coordinator, Debra Culp recognized the efforts of the 2018 participants of the City of Deer Park's VIPAR program. These youth volunteers donate hundreds of hours of service to the City each year, saving thousands of dollars in labor costs. Each volunteer in attendance received a certificate of appreciation from the City.

Ms. Culp commented, "The VIPARS are all fantastic. We are thankful we have them."

PRESENTATION OF THE TEXAS AMATEUR ATHLETIC FEDERATION (TAAF) ATHLETE OF THE YEAR NOMINEE – Athletics/Aquatics Supervisor Lacy Stole gave an overview of the Summer Track Program which operates under (TAAF). Athletic Leader, Andrew Williams recognized Ally Marbury for her dedication and efforts and presented a plaque for the 2018 City of Deer Park Female Athlete of the Year.

Mr. Williams commented, “She worked really hard day in and day out. She won 1st in the 100m (10u), and placed 6th fastest time for TAAF and in all of Texas.”

5. PRESENTATION - RECOGNITION OF 2018 PARTICIPANTS IN THE LIBRARY VOLUNTEENS PROGRAM - Library Director, Rebecca Pool recognized the 2018 participants of the City of Deer Park’s Library VolunTeens Program. There was a total of 15 participants that in 10 weeks completed over 700 volunteer hours. The Children’s Librarian, Susan Zykorie and Assistant Youth Librarian, Robert Zambrano, recognized the 2018 participants of the City of Deer Park’s Library VolunTeens Program and presented Certificates of Appreciation to all the VolunTeens in attendance.
6. PUBLIC HEARING ON THE FY 2018-2019 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 2018-2019 Budget. No one spoke.

Mayor Mouton called for those desiring to speak against the FY 2018-2019 Budget. No one spoke.

7. PUBLIC HEARING ON THE CCPD FY 2018-2019 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 2018-2019 Budget. No one spoke.

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

8. PUBLIC HEARING ON THE FCPEMDS FY 2018-2019 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 FCPEMDS FY 2018-2019 Budget.

- a. Sam Pipkin, FCPEMDS President, commented, “You have all seen the background material and the main items this year we have reallocated is for the EMS Building. It is progressing nicely as far as the planning stages go. Also, we are doing away one of our Captain positions and created an Assistant Chief position for EMS that will help very much from an evaluation stand point. The Fire Marshal is adding a part time Fire Inspector. They are taking the money from the Fire Department budget for volunteers and putting it into the Fire Marshal budget to hire a part time Inspector.”

Mayor Mouton called for those desiring to speak against FCPEMDS FY 2018-2019 Budget. No one spoke.

9. PUBLIC HEARING #2 ON THE CITY'S JUVENILE CURFEW ORDINANCE - The public hearing was opened by the City Secretary reading the Notice of Public Hearing. (Exhibit D)

Mayor Mouton called for those desiring to speak in favor of the City's Juvenile Curfew Ordinance.

- a. Police Chief, Greg Grigg, commented, "I have given you a chart. This chart doesn't have everything on it and the time period doesn't cover the entire three years. If you look at it, it covers January 1, 2015- August 8, 2018. It will give you the information you need. In that time period, we issued 133 juvenile curfew violations. That is removing school curfew violations and park curfew violation, this is strictly dealing with juveniles and this particular ordinance. If you look at the graphs, you can see the curfew violations by age and you can see, it goes down to 12 years of age. The closer you get to the age of 16, the more violations we have. The graph next shows violations by males and females that have been caught out after the curfew hours. The graph below shows the hours we have written citations. A surprising one, the days of the week that they are caught is not really predictable, it is all days of the week. This is a useful tool for us to use to be able to contact those that are under age to make sure their parents get involved and can get them back home. If they are out committing criminal acts, it gives us a reason to contact them. Children 16 and under don't need to be out late at night in the middle of the night. If they are out, we need to have a reason to contact them and this curfew ordinance gives us that legal authority. I ask that you pass this ordinance." (Exhibit E)

Mayor Mouton called for those desiring to speak against the City's Juvenile Curfew Ordinance. No one spoke.

10. AWARDING BID FOR LEASE PURCHASE FINANCING OF THE RERESH TO THE VOIP COMMUNICATION SYSTEM – Motion was made by Councilwoman Garrison and seconded by Councilman Ginn to award the bid of lease purchase financing of the refresh to the VOIP Communication System to City National Bank for a 3 year term. Motion carried 6 to 0.
11. AWARDING BID FOR 13TH STREET AND UNDERWOOD PAVING IMPROVEMENTS (NORTH LANES) - Motion was made by Councilwoman Garrison and seconded by Councilman Martin to award the bid for the 13th Street and Underwood paving improvements (North Lanes) to D & W Contractors, low bidder of \$170,050.00. Motion carried 6 to 0.
12. CONSENT CALENDAR – Motion was made by Councilman Ginn and seconded by Councilman Martin to approve the consent calendar as follows:
- a. Approval of minutes of joint meeting on July 23, 2018. (Council, Parks, CDC)
- b. Approval of minutes of workshop meeting on August 7, 2018.

- c. Approval of minutes of regular meeting on August 7, 2018.
- d. Approval of tax refund to Partnership Underwood LP in the amount of \$4,276.80 due to a value decrease granted by Harris County Appraisal District.
- e. Approval of tax refund to Partnership Underwood LP in the amount of \$3,600.00 due to a value decrease granted by Harris County Appraisal District.
- f. Approval of tax refund to Robert A. & Michael R. McCue in the amount of \$519.25 due to a homestead exemption, an over-65 exemption and a freeze change granted by Harris County Appraisal District.
- g. Approval of tax refund to Pacific Life in the amount of \$9,492.62 due to a value decrease granted by Harris County Appraisal District.
- h. Approval of tax refund to Rusty Hellyer in the amount of \$1,454.40 due to a value decrease granted by Harris County Appraisal District.
- i. Approval of tax refund to Pacific Life in the amount of \$9,637.01 due to a value decrease granted by Harris County Appraisal District.
- j. Approval of tax refund to Pacific Life in the amount of \$14,813.48 due to a value decrease granted by Harris County Appraisal District.
- k. Acceptance of completion and retainage release for the 18" Force Main Rehabilitation Project.
- l. Acceptance of completion and retainage release for the Storm Sewer Rehabilitation at Princeton and Meadowlark.
- m. Consideration of and action on a request to issue a Request for Proposals for arbitrage rebate services.
- n. Consideration of and action on a request to issue a Request for Applications for primary bank depository services.

Motion carried 6 to 0.

13. CONSIDERATION OF AND ACTION ON AN ORDINANCE APPROVING THE FISCAL YEAR 2018-2019 DEER PARK COMMUNITY DEVELOPMENT CORPORATION BUDGET – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilwoman Sinor to adopt on first and final reading of Ordinance No. 3997, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE 2018-2019 BUDGET FOR THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

14. CONSIDERATION OF AND ACTION ON RESULTS OF THE PUBLIC HEARING AND A PROPOSED ORDINANCE ADOPTING THE CITY'S JUVENILE CURFEW – After a proposed ordinance was read by caption, motion was made by Councilwoman Sinor and seconded by Councilman Martin to adopt on first and final reading Ordinance No. 3998, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK CONTINUING THE CITY'S CURFEW FOR MINORS ORDINANCE; 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 2018-2019 CRIME CONTROL AND PREVENTION DISTRICT BUDGET – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Sinor to adopt on first and final reading of Ordinance No. 3999, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE 2018-2019 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 2018-2019 FIRE CONTROL PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT BUDGET – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilwoman Sinor to adopt on first and final reading of Ordinance No. 4000, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE 2018-2019 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 2, 2018 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 Sinor to adopt on first and final reading of Ordinance No.4001, 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 A REFERRAL FROM THE PLANNING AND ZONING COMMISSION AND AN ORDINANCE CALLING A JOINT PUBLIC HEARING FROM THE REQUEST OF PAUL SINGH TO REZONE THE PROPERTY LOCATED AT 1701 EAST BOULEVARD FROM SINGLE FAMILY (SF1) TO GENERAL COMMERCIAL (GC)– After the proposed ordinance was read by caption, motion made by Councilwoman Garrison and seconded by Councilman Ginn to adopt on the first and final reading Ordinance No. 4002, captioned as follows:

AN ORDINANCE CALLING A JOINT PUBLIC HEARING ON SEPTEMBER 25, 2018, BY THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEER PARK, TEXAS, ON A PROPOSED AMENDMENT TO ORDINANCE NO. 3886, THE ZONING ORDINANCE, PLACING IN THE GENERAL COMMERCIAL (GC) ZONING DISTRICT A 0.8683 TRACT OF LAND BEING A PORTION OF LOT 594 OF THE OUTLOTS TO THE TOWN OF LA PORTE AND TAKNG THE SAME OUT OF THE SINGLE FAMILY ONE (SF-1) ZONING DISTRICT; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

19. ADJOURN – Mayor Mouton adjourned the meeting at 8:16 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton
Mayor



Legislation Details (With Text)

File #: AUT 18-064 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 8/21/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Authorization to advertise and receive bids for the Deer Park EMS Station.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Authorization to advertise and receive bids for the Deer Park EMS Station.

Summary:

The City of Deer Park, in partnership with the Deer Park Fire Control, Prevention, and Emergency Medical Services District, entered into a professional services contract with PGAL to design an Emergency Medical Services (EMS) Station. The design is complete and staff requests authorization to advertise and bid the project.

Fiscal/Budgetary Impact:

This project is primarily funded by the FCPEMSD. Architectural and Design services were included in both the FY17-18 budget as well as the proposed FY18-19 budget. Construction costs are included in the District's FY18-19 budget. Depending on total proposal costs, some additional funding from the City Council may be requested.

Authorize publication and bidding process



Legislation Details (With Text)

File #: ACT 18-030 **Version:** 1 **Name:**
Type: Acceptance **Status:** Agenda Ready
File created: 8/27/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Acceptance of completion and retainage release for South Lift Station Discharge Header Modifications Project.
Sponsors: Public Works
Indexes:
Code sections:
Attachments: [Closeout Pay estimate for South Lift Station mods](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Acceptance of completion and retainage release for South Lift Station Discharge Header Modifications Project.

Summary: LEM Construction Co., Inc. has completed the South Lift Station Discharge Header Modifications Project and is now ready for Council acceptance and retainage release. The original contract amount was \$81,990.00. The project had a deduct Change Order in the amount of \$5,150.00. This brings the total cost of the project to \$76,830.00. The retainage on this project is in the amount of \$3,842.00. The Project included building a new header with the ability to split the flow either down the City's 18" Force Main or 12" Force Main depending on weather or maintenance conditions. This will allow flexibility by Public Works to better manage flows from the Lift Station to the WWTP.

Fiscal/Budgetary Impact:

This project was funded through Water /Sewer Funds

Staff is requesting acceptance of the project and release of retainage

Pay Estimate

August 14, 2018

PROJECT NAME: Sout Lift Station - Discharge Header Modifications Purchase Order No. _____

CONTRACTOR: LEM Construction Co., Inc. ADDRESS: 10849 Kinghurst, Suite 150
Houston, TX 77099

PAY ESTIMATE NO: 2 From: 4/16/2018 To: 7/26/2018

CONTRACT TIME: 90 CALENDER DAYS
EXTENSIONS: 11 DAYS EXTENSIONS BY CHANGE ORDER: 11 DAYS
TIME USED: 101 DAYS ADJUSTED CONTRACT TIME: 101 DAYS

Work Order Dated: April 16, 2018 START WORK DATE: April 16, 2018

PERCENT WORK COMPLETED: 93.7% PERCENT TIME USED: 100.0%

ANALYSIS OF CONTRACT AMOUNT

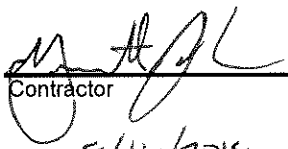
Original Contract Amount	\$ 81,990.00
Plus Additions: Change Order	
Deducts: Change Order No. 1	\$ (5,150.00)
Adjusted Contract Amount:	\$ 76,840.00
Work Performed to Date:	\$ 76,840.00
Less 0% Retainage:	\$ -
Net Amount Earned to Date:	\$ 76,840.00
Add materials Stored Close of Period:	\$ -
Less 10% Retained on Material:	\$ -
Sub-Total:	\$ 76,840.00
Less Previous Payments:	\$ 72,998.00
**** AMOUNT DUE THIS ESTIMATE ****	\$ 3,842.00

APPROVED:
City of Deer Park

By: _____
Director of Engineering

Date: _____

AGREED:

By:  _____
Contractor

Date: 8/16/2018

AGREED:

By:  _____
Langford Engineering, Inc.

Date: 8/20/2018

CITY OF DEER PARK

ESTIMATE AND CERTIFICATE FOR PAYMENT

Estimate No.: 2 FINAL

Cut off Date: 07/26/18

Estimate Date 07/26/18

ESTIMATE AND CERTIFICATE FOR PAYMENT

Project name: SOUTH LIFT STATION HEADER MODIFICATIONS
 Contractor: LEM CONSTRUCTION CO.
 Address: 10849 KINGHURST, SUITE 150
 HOUSTON, TEXAS 77099

Contract No. 209-023 #1
 Project No./File No. 2018-01
 GFS No:
 Ord No:

Contract No.: 209-023 #1
 Start Date: 04/16/18
 Current Contract Completion Date: 07/15/18
 Substantial Completion Date: 07/15/18
 Percentage: By Time 100.00% In Place 100.00%

CONTRACT TIME IN CALENDAR DAYS

Original Contract Time: 90 Days
 Approved Extensions: 0 Days
 Total Contract Time: 90 Days
 Days Used to Date: 90 Days
 Days Remaining to Date: 0 Days

CONTRACT AMOUNT TO DATE:

1 Original Contract Price			\$81,990
2 Approved Change Orders: No / Description	Amount		
1			
2			
3			
4			
Total Change Orders to Date:	+/- \$ -		\$ -
TOTAL CONTRACT AMOUNT:			\$ 81,990.00

A. EARNINGS TO DATE:

1	Work Completed to Date: 100.00 % Complete		\$ 76,840.00
2	Materials Stored on Site:	\$ -	
3	Materials Stored in Place:	\$ -	
4	Balance - 85% Materials Accepted, Not in Work:	\$ - @85%	\$ -
TOTAL EARNINGS TO DATE:			\$ 76,840.00

B. DEDUCTIONS:

1	Retainage: 0% of \$ 76,840.00		
2	Add: Retainage Deduction:		
3	Total Retainage:	\$ -	
4	Liquidated Damages: 0 Days @	\$ 1,200.00	\$ -
5	Quality Control Retest Cost		
6	Sunday/Holiday Overtime Cost		
TOTAL DEDUCTIONS:			\$ -

C. AMOUNT DUE THIS PERIOD

1	Total Earnings to Date:	\$ 76,840.00
2	Total Deductions:	\$ -
3	Total Payment Due:	\$ 76,840.00
4	Less Previous Payments:	\$ 72,998.00
5	Restoration Adjustment:	
TOTAL AMOUNT DUE THIS DATE:		\$ 3,842.00

Verified
 LEM Construction Date:

Checked By: Date:

Submitted:
 Project Engineer/Manager Date:

Approved: Date:

ITEM NO.	DESCRIPTION	QUANT	LIMIT	UNIT PRICE	TOTAL PRICE	PERIOD QUANTITY	QUANTITY TO DATE	TOTAL AMOUNT TO DATE	% COMPLETE TO DATE	% COMPLETE PREV.	% COMPLETE THIS PERIOD
1	MORILIZATION MAX. 5%	1 LS		\$3,800	\$3,800		1.00	\$ 3,800.00	100.00%	100.00%	0.00%
2	ABANDON 10" DPIPE FORCE MAIN	1 LS		\$4,000	\$4,000		1.00	\$ 4,000.00	100.00%	100.00%	0.00%
3	REMOVE AND DISPOSE OF 18" DIP FM HEADER	1 LS		5,000	\$5,000		1.00	\$ 5,000.00	100.00%	100.00%	0.00%
4	10" DIP FORCE MAIN UP TO 60 LF	1 LS		\$40,000	\$40,000		1.00	\$ 40,000.00	100.00%	100.00%	0.00%
5	18" DIP FORCE MAIN	1 LS		\$24,000	\$24,000		1.00	\$ 24,000.00	100.00%	100.00%	0.00%
6	TRENCH SAFETY SYSTEM	40 LF		\$40	\$40		40.00	\$ 40.00	100.00%	100.00%	0.00%
A	EXTRA CEMENT STABILIZED SAND BEDDING	10 CY		\$200	\$200			\$ -	0.00%	0.00%	0.00%
B	EXTRA CEMENT STABILIZED SAND BACKFILL	10 CY		\$25	\$250		0.00	\$ -	0.00%	0.00%	0.00%
C	EXTRA CONCRETE IN PLACE	10 CY		\$1,500	\$1,500		0.00	\$ -	0.00%	0.00%	0.00%
D	EXTRA 10" DIP FORCE MAIN IN PLACE	20 LF		\$160	\$3,200		0.00	\$ -	0.00%	0.00%	0.00%

Total Contract Price	\$	81,990.00
Earned in Place	\$	76,840.00
Retainage - 5%		
Subtotal	\$	76,840.00
Previous Payments	\$	72,998.00
TOTAL DUE THIS ESTIMATE	\$	3,842.00

Conditional Waiver and Release on Final Payment
(Pursuant to Texas Property Code §53.284(d))

Project: City of Deer Park South Lift Station Header Modifications

Check Date: 08/16/2018

Job No. 2018-01

Check #: _____

On receipt by the signer of this document of a check from The City of Deer Park. (person with whom signer contracted) in the sum of \$3,842.00 payable to LEM CONSTRUCTION CO., INC. (payee or payees of check) and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any mechanic's lien right, any right arising from a payment bond that complies with a state or federal statute, any common law payment bond right, any claim for payment, and any rights under any similar ordinance, rule, or statute related to claim or payment rights for persons in the signer's position that the signer has on the property of THE CITY OF DEER PARK (owner) located at 4100 E. LUELLA BLVD. (location) to the following extent CITY OF DEER PARK SOUTH LIFT STATION HEADER MODIFICATIONS (job description).

This release covers the final payment to the signer for all labor, services, equipment, or materials furnished to the property or to LEM Construction Company, Inc. (person with whom signer contracted).

Before any recipient of this document relies on this document, the recipient should verify evidence of payment to the signer.

The signer warrants that the signer has already paid or will use the funds received from this final payment to promptly pay in full all of the signer's laborers, subcontractors, materialmen, and suppliers for all work, materials, equipment, or services provided for or to the above referenced project up to the date of this waiver and release.

Date 8/16/2018

LEM CONSTRUCTION CO., INC. (Company Name)

By [Signature] (Signature)

PROJECT MANAGER (Title)

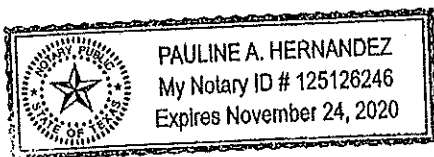
STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was ACKNOWLEDGED before me by GARRETT JESKE (signer's name), as PROJECT MANAGER (title) of LEM CONSTRUCTION CO., INC. (company) known to me to be the person whose name is subscribed to the foregoing instrument, who after being duly sworn acknowledged to me that the same was the act of LEM CONSTRUCTION CO., INC. (company) and that he/she executed same as an act of such company for the purposes and consideration stated therein.

Given under my hand and seal of office, this the 17 day of 8, 2018.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

AFFIDAVIT OF BILLS PAID

THE STATE OF TEXAS

COUNTY OF HARRIS

KEN STRINGER Being first duly sworn, state that he is VICE PRESIDENT of LEM CONSTRUCTION CO., INC. of Harris County Texas, hereinafter call "Company", and the said Company has performed work and/or furnished materials hereinafter called "Owner" pursuant to a contract, dated with Owner (hereinafter called "Contract") for the construction of:

PROJECT: South Lift Station – Discharge Header Modification

PROJECT NO: LEI Job No. 209-023 / LEM Job No. 2018-01

That all just and lawful invoices against the Company for Labor, materials and expendable equipment employed in the performance of the Contract have been paid in full (with the exception of the attached invoice) prior to acceptance of payments from the Owner, and

That the Company agrees to indemnify and hold the Owner and Engineers harmless from all liability arising from claims by subcontractors, materialmen, and suppliers under Contract, and

That no claims have been made or filed upon the payment bond,

That the Company has not received any claims or notice of claims from the subcontractor, materialmen and suppliers.

CONTRACTOR

Ken Stringer
By

VICE PRESIDENT
Title

THE STATE OF TEXAS

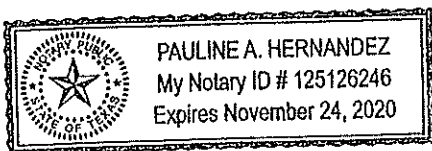
COUNTY OF HARRIS

BEFORE ME, The undersigned authority, on this day personally appeared KEN STRINGER of LEM CONSTRUCTION CO., INC. known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of such corporation, for the purpose of consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 day of 8 2018

MY COMMISSION EXPIRES: Nov 24, 20

Pauline A. Hernandez
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



**CONSENT OF
TO REDUCTION IN OR
PARTIAL RELEASE OF RETAINAGE**

AIA DOCUMENT C707 A

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER
Bond # 58S209629

PROJECT: South Lift Station – Discharge Header Modification
(name, address)

TO (Owner):
City of Deer Park, Texas
710 E. San Augustine St.
Deer Park, TX 77536

ARCHITECT'S PROJECT NO:
CONTRACT FOR: Construction
CONTRACT DATE

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(here insert name and address of Surety as it appears in the bond)

Liberty Mutual Insurance Company
1600 N. Collins Blvd, Suite 3000
Richardson, TX 75080

, Surety

On bond of (here insert name and address of Contractor as it appears on the bond)

LEM Construction Co., Inc.
10849 Kinghurst, Suite 150
Houston, TX 77079

, Contractor

hereby approves of the reduction in or partial release of retainage to the Contractor as follows:

5% to 0%

The Surety agrees that such reduction in or partial release of retainage to the Contractor shall not relieve the surety of any
of its obligations to (here insert name and address of Owner)

City of Deer Park, Texas
710 E. San Augustine St.
Deer Park, TX 77536

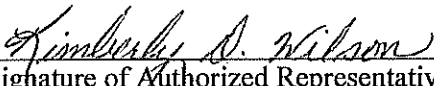
, Owner

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 6th day of August 2018

Attest:
(Seal):

Liberty Mutual Insurance Company
Surety Company


Signature of Authorized Representative

Kimberly D. Wilson, Attorney-in-Fact
Title

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7625529

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Carol M. Sweeney; James D. Frith; Karen Brooks; Kimberly D. Wilson; Patricia A. Watson; Susan Palmer

all of the city of Houston, state of TX, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 13th day of February, 2017.



STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

On this 13th day of February, 2017, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 6th day of August, 2018.



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary



TEXAS IMPORTANT NOTICE

To obtain information or make a complaint:

You may call toll-free for information or to make a complaint at
1-877-751-2640

You may also write to:

2200 Renaissance Blvd., Ste. 400
King of Prussia, PA 19406-2755

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at
1-800-252-3439

You may write the Texas Department of Insurance
Consumer Protection (111-1A)
P. O. Box 149091
Austin, TX 78714-9091
FAX: (512) 490-1007
Web: <http://www.tdi.texas.gov>
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should first contact the agent or call 1-800-843-6446. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

TEXAS AVISO IMPORTANTE

Para obtener información o para someter una queja:

Usted puede llamar al número de teléfono gratis para información o para someter una queja al
1-877-751-2640

Usted también puede escribir a:

2200 Renaissance Blvd., Ste. 400
King of Prussia, PA 19406-2755

Puede comunicarse con el Departamento de Seguros de Texas para obtener información acerca de compañías, coberturas, derechos o quejas al
1-800-252-3439

Puede escribir al Departamento de Seguros de Texas Consumer Protection (111-1A)
P. O. Box 149091
Austin, TX 78714-9091
FAX # (512) 490-1007
Web: <http://www.tdi.texas.gov>
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el agente o primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI)

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.



Legislation Details (With Text)

File #: ELE 18-003 **Version:** 1 **Name:**
Type: Election **Status:** Agenda Ready
File created: 8/28/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on casting a ballot for Region 14 Representative to the TML-MIEBP Board of Trustees.
Sponsors: Office of the Mayor
Indexes:
Code sections:
Attachments: [TMLMIEBP Ballot \(2018\)](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on casting a ballot for Region 14 Representative to the TML-MIEBP Board of Trustees.

Summary:

For the past eight (8) years, City Manager Jay Stokes has served as the Region 14 Trustee to the Board of Trustees of the Texas Municipal League MultiState Intergovernmental Employee Benefits Pool. His present term of office expires September 30, 2018. Mr. Stokes recently accepted an appointment to the Board of Trustees as an "At Large" Board Representative, and thus did not run for Region 14 Trustee for the term which begins October 1, 2018 and expires September 30, 2021. Attached to this agenda packet is the City's ballot for TML Region 14 TML-MIEBP Trustee. There are three (3) candidates for office including Kyle Jung, City Manager of Manvel; Jason Reynolds, City Manager of Nassau Bay; and Jose Sanchez, Personnel Director in Lake Jackson. It is recommended Deer Park's vote be cast for Jason Reynolds, City Manager of Nassau Bay.

Fiscal/Budgetary Impact:

N/A

Approval is recommended.



MEMORANDUM

TO: TML MultiState Intergovernmental Employee Benefits Pool Members of Region 14

DATE: August 17, 2018

RE: 2018 Board of Trustee Election

Enclosed is your ballot for the Board of Trustee election. All qualified nominees appear on the ballot. Please see that this ballot is placed on the agenda for the next meeting of your governing body. **To be counted, ballots must certify that the vote was taken at an official meeting of the governing body.** Enclosed is a pre-addressed envelope to return your ballot. The Board Secretary must receive ballots by 5:00 p.m. (CST) on September 26, 2018 at Bickerstaff Heath Delgado Acosta LLP, 3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas 78746. Ballots may be submitted to the Board Secretary by mail, by facsimile (512) 320-5638 or electronically to GSeaquist@bickerstaff.com.

The term of office will be from October 1, 2018 through September 30, 2021 for the individual elected. The Trust Agreement provides that "if more than two (2) candidates are running, the person receiving the largest number of votes shall be elected."

Further, the Trust Agreement provides "write-in candidates otherwise duly qualified shall be eligible for election." To be duly qualified the individual must be either an employee or elected official of an incorporated city within the state of Texas, which is a Member of the Pool at the time of their election. A municipal "employee" is a person who holds a position of Department Head or higher; works at least 20 hours per week for an incorporated city; is paid by the incorporated city with incorporated city funds; and may be hired and fired only by another incorporated city official or by the incorporated city's governing body. Nominees may not be voting Board Members of the Texas Municipal League or the Texas Municipal League Intergovernmental Risk Pool.

If you have any questions, please contact me at (512) 472-8021.

A handwritten signature in blue ink that reads "Gunnar Seaquist".

Gunnar Seaquist
Board Secretary

Enclosures



**TML MultiState Intergovernmental Employee Benefits Pool
Board of Trustees – TML Region 14**

**Term of Office
October 1, 2018 – September 30, 2021**

Please vote for one candidate.

☐

Kyle Jung ~ City Manager, City of Manvel

Mr. Jung currently serves as City Manager for the City of Manvel. He has a Bachelor of Arts from University of St. Thomas and a Masters of Public Administration from Texas Tech University. Mr. Jung is a member of the Texas City Management Association. Mr. Jung is also Assistant Coach for Sienna Plantation Girls Softball Association, is a Committee Member and Merit Badge Counselor for BSA Troop 828 and was Assistant Den Leader from 2014-2018 for Cub Scout Den 1828.

☐

Jason Reynolds ~ City Manager, City of Nassau Bay

Mr. Reynolds currently serves as City Manager for the City of Nassau Bay. He has a Bachelors in Workforce Leadership and a Masters of Business Administration in M-Urban Planning. Mr. Reynolds is a member on the Texas City Management Association and Government Finance Officers Association of Texas. Mr. Reynolds serves as a BAHCVB Board Member. Mr. Reynolds is also active in his community: Community in Schools – Mentor, and volunteers at the schools and animal shelter.

☐

Jose Sanchez ~ Personnel Director, City of Lake Jackson

Mr. Sanchez currently serves as Personnel Director for the City of Lake Jackson. He has a Bachelor of Business Administration from Texas Tech University. Mr. Sanchez is also a Certified Public Manager and IPMA – HR Senior Certified Professional. Mr. Sanchez is a member of the Texas Municipal Human Resources Association. Mr. Sanchez is also active in his community: Raul Yzaguirre School for Success & Tejano Center and Omega Delta Phi Fraternity Inc.

☐

I certify that this ballot is cast in accordance with official action taken at a duly called meeting on _____
_____, 2018.

Signature

Title

Entity

Ballots may be submitted by mail in envelope provided, by facsimile (512) 320-5638 or electronically to GSeaquist@bickerstaff.com to be received by September 26, 2018

Gunnar Seaquist

Bickerstaff Heath Delgado Acosta LLP

3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas 78746



Legislation Details (With Text)

File #: OFC 18-004 **Version:** 1 **Name:**

Type: Election of Officers **Status:** Agenda Ready

File created: 8/28/2018 **In control:** City Council

On agenda: 9/4/2018 **Final action:**

Title: Consideration of and action on casting the City of Deer Park's votes in the Election of Members of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool (TML-IRP), Places 11 - 14.

Sponsors: Office of the Mayor

Indexes:

Code sections:

Attachments: [TMLIRP - 2018 Ballot](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on casting the City of Deer Park's votes in the Election of Members of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool (TML-IRP), Places 11 - 14.

Summary:

The City recently received the 2018 ballot for the Board of Trustees of the Texas Municipal League - Intergovernmental Risk Pool (see attached). There are four (4) positions on the ballot, which are Place 11, Place 12, Place 13, and Place 14. All of these are opposed. The City may cast a vote for any candidate seeking each place, or may write in a separate candidate. It is recommend Council cast its votes for Randy Criswell (Place 11), Bert Lumbreras (Place 12), Bryon Black (Place 13), and David Rutledge (Place 14).

Fiscal/Budgetary Impact:

n/a

Cast ballot voting for TML-IRP Board of Trustees Places 11 - 14.

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 11 – 14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2018. Ballots received after September 30, 2018, cannot be counted. **The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P.O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 11

- ☐ **Dietrich von Biedenfeld.** Alderman for the City of West Columbia (Region 14) since May 2012. Mr. Biedenfeld teaches at the Marilyn Davies College of Business at the University of Houston – Downtown and is a VA-accredited attorney. He serves as Chair of the Dispute Resolution Committee and past Chair of the Public Contract Law Committee for the American Bar Association Young Lawyer Division. He is also President of the Brazoria County Cities Association. Mr. Biedenfeld is a member of the International Association of Emergency Managers, Federal Bar Association, NIGP: The Institute for Public Procurement, and U.S. Green Building Council. He is also a member of the Columbia Historical and Brazoria County Heritage Museums.

- ☐ **Randy Criswell (Incumbent).** City Manager for the City of Canyon (Region 2) since 2008. Mr. Criswell has served on the TML Risk Pool Board of Trustees since 2015 and currently serves as Chair of the Underwriting and Claims Committee. He has been in public service for 28 years, with nearly 24 years as an employee of the City of Canyon. Mr. Criswell has a Bachelor of Science degree from Texas Tech University, is an active member of TCMA, having served multiple terms on the Board of Directors and Committees. He has served as the TCMA Affiliate Representative on the TML Board of Directors, is a member of ICMA, and is a Certified Public Manager.

- ☐ **Rick A. Schroder.** City Administrator for the City of Helotes (Region 7) since September 2008. Mr. Schroder also serves as the Executive Director for the Helotes Economic Development Corporation (EDC). Prior to his tenure as City Administrator, Rick was employed by the EDC as the Economic Development Specialist from 2006 to 2008. He graduated Magna Cum Laude from Trinity University in 2004 with a degree in Political Science, and he earned a Master of Public Service and Administration in 2006 from the George H.W. Bush School of Government and Public Service at Texas A&M University. During his coursework, he worked for a variety of public and private organizations, primarily focused on public service and government relations.

WRITE IN CANDIDATE:

PLACE 12

- ☐ **Bert Lumbreras.** City Manager for the City of San Marcos, Texas (Region 10). Bert Lumbreras has 37 years of experience as a City Manager or an Assistant City Manager in seven Texas communities, including Austin and Waco. He currently serves as the International City/County Management Association Mountain Plains Vice President and previously served on the Board of Directors of the Texas City Management Association from 2010-2014, including President in 2012. He has a Bachelor's Degree in Political Science, with a concentration in Public Administration, and a minor in Geography and Urban Planning from Southwest Texas State University.
- ☐ **Kimberly Meisner.** Executive Director of General Operations for the City of Kerrville (Region 7), overseeing Human Resources, Municipal Court, Public Library, and Public Information. Ms. Meisner has over 21 years of public service, which includes serving the Cities of Kerrville and La Porte. She earned a Master's degree in Public Administration from U.T.-Arlington and a Bachelor's degree in Human Resource Management from Columbia Southern University. She is a member of the TCMA, International Public Management Association for Human Resources (IPMA-HR), Society for Human Resource Management (SHRM), San Antonio Human Resource Management Association, and is a former President of the Bay Area Human Resource Management Association. She is an IPMA-HR Senior Certified Professional and a SHRM Certified Professional.
- ☐ **Jana Traxler.** Human Resources Director and Risk Manager for the City of Murphy, Texas (Region 13). Jana Traxler is a municipal Human Resources Executive who is committed to being a strategic partner in municipal management, an employee advocate and a change agent. She has experience working in both local and state governments as well as experience working under a state funded contract with Hewlett Packard Enterprise Services. Prior to relocating to Murphy, Texas, she held the position of the Human Resources Labor Relations Officer for Shawnee County, Kansas. She is a graduate of the Villanova University Masters in Human Resource Development program and holds the Senior Professional in Human Resources designation.
- ☐ **Robert D. Wilson, Jr.** Board of Directors of the Post Oak Savannah Ground Conservation District in Milano, Texas (Region 10) for the last four years. Robert Wilson has also served on the Board of Directors for the Southwest Milam Water Supply Corporation for the past 13 years, and currently is the President. Mr. Wilson graduated from the University of Minnesota, majoring in mathematics. He was a Captain in the US Army, 1964-1968, and served in Viet Nam. He spent over 40 years in Commercial Banking, with the last 15 as Branch President of Citizens National Bank in Rockdale, Texas. Mr. Wilson has served on numerous local boards and organizations, volunteering his time to assist and improve the quality of life in Rockdale over the past 15 years. He is active in his church as a Sunday School Teacher, Deacon, and Treasurer.

WRITE IN CANDIDATE:

PLACE 13

- ☐ **Byron Black.** (Incumbent). Board Chair, Central Appraisal District of Johnson County (Region 8). He served as Mayor of Burleson from 1998-2004, previously serving as mayor pro tem and as a Councilmember. He currently serves as Chair of the Impact Fee Committee for the City of Burleson. Mr. Black is a past board member of the Area Metro Ambulance Authority Board. He was a member of the Burleson Independent School District Board for 12 years, nine as President, and served as president of TASB. Mr. Black has served as a Board member of the TML Intergovernmental Risk Pool since 2000, serving as Vice-Chair and Chair.

- ☐ **Mike Jones.** Chief Appraiser/Chief Administrator of the Fannin Central Appraisal District in Bonham, Texas (Region 13). His service in the property tax profession began in February, 2006 after serving a 20-year career in the United States Air Force. He holds a Bachelor of Science in Occupational Education from Wayland Baptist University. His professional credentials include the Registered Professional Appraiser and Registered Texas Assessor/Collector Designations, a Certified Tax Administrator from the Institute of Certified Tax Administrators and a Certified Chief Appraiser from the Texas Association of Appraisal Districts and the Texas Association of Assessing Officers.

WRITE IN CANDIDATE:

PLACE 14

- ☐ **Bert Echterling.** Mayor for the City of Robinson (Region 9) since 2015. Mr. Echterling has served as a council member for Robinson since 2006. He serves on the McLennan County Park Committee and on the Robinson Campus Improvement Committee. He is a past Board Member for the Robinson Economic Development Committee and the Robinson Chamber of Commerce. He was born and raised in Robinson, graduated from Robinson High School, and attended McLennan Community College. In 1996, he joined the family business, Echterling Builders, which he has owned since.
- ☐ **David J. Harris.** City Administrator for the City of Balcones Heights (Region 7) since 2014. Mr. Harris began his local government career in 1996 at Bexar County and has served 18 years in leadership of the cities of Hill Country Village (City Administrator), Schertz (Assistant City Manager), and Alamo Heights (Interim Director). He serves as Immediate Past President and on the Board of the Texas City Management Association, Secretary of TML Region 7, President of Alamo Heights Rotary Club. Mr. Harris received his BA in American Studies from Whitworth University and a MS in Urban Administration from Trinity University. He is an ICMA Credentialed Manager and a member of TCMA and ICMA.
- ☐ **David Rutledge.** Mayor of Bridge City (Region 16) since 2016, re-elected to a second term this past May, previously served as council member from 2005-2010 (term-limited), again in 2015, and is a representative on the Southeast Texas Regional Planning Commission (COG). Active in TML, he has been recognized as a Certified Municipal Official (CMO) the previous three years, is Vice President of TML Region 16, and serves on the TML Municipal Advocacy Committee and the Municipal Policy Summit. A mechanical engineer by profession from Lamar University in Beaumont, he serves on that university's Mechanical Engineering Advisory Council.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _____, 2018.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of Political Entity



Legislation Details (With Text)

File #: TNT 18-001 **Version:** 1 **Name:**
Type: Truth & Taxation **Status:** Agenda Ready
File created: 8/23/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on submittal of the 2018 Tax Roll and the calculation of the Effective Tax Rate and the Rollback Tax Rate.
Sponsors: Finance
Indexes:
Code sections:
Attachments: [2018 Certification of Appraisal Roll](#)
[2018 Tax Notice](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on submittal of the 2018 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 2018:

Total Appraised Value = \$2,935,423,032

Total Exemptions = \$423,747,976

Total Taxable Value = \$2,511,675,056

Total Taxable Value of New Property = \$29,165,963

Total Taxable Value of Annexed Property = \$19,622,339

Total Uncertified = \$272,662,589

Calculated Effective Tax Rate = \$0.707705/\$100

Calculated Rollback Tax Rate = \$0.736784/\$100

Fiscal/Budgetary Impact: Current ad valorem taxes represent approximately 34 percent of the total General Fund revenue in the proposed Fiscal Year 2018-2019 budget.

Consideration and acceptance of the submitted 2018 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. }

2018
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 2018 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: \$2,935,423,032

The taxable value now on the appraisal roll for this unit is: \$2,511,675,056

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: \$136,611,287

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 \$107,094,689

Signed this 24th day of August, 2018



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 2018 appraisal roll on this the 21 day of August 2018

Jeffrey Johnson

NOTICE OF 2018 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	\$0.707705 per \$100
ROLLBACK TAX RATE	\$0.736784 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 2017 tax year and the 2018 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, 2018 at 7:30 PM at City Hall Council Chambers 710 E. San Augustine St.
Deer Park, TX 77536.

Second Hearing: October 2, 2018 at 5:30 PM at City Hall Council Chambers 710 E. San Augustine St.
Deer Park, TX 77536.



Legislation Details (With Text)

File #: TNT 18-002 **Version:** 1 **Name:**
Type: Truth & Taxation **Status:** Agenda Ready
File created: 8/23/2018 **In control:** City Council
On agenda: 9/4/2018 **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
9/4/2018	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 2018 (fiscal year 2018-2019), the effective tax rate is \$0.707705 per \$100 valuation and the rollback tax rate is \$0.736784 per \$100 valuation. The proposed tax rate is \$0.720000 per \$100 valuation, which exceeds the effective rate by \$0.012295. 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 Tuesday, September 25, 2018, at 7:30 p.m. and Tuesday, October 2 2018, 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 8, 2018 at 5:30 p.m. in the Council Chamber at City Hall.

Fiscal/Budgetary Impact: Current ad valorem taxes represent approximately 34 percent of the total General Fund revenue in the proposed Fiscal Year 2018-2019 budget.

Take a record vote to increase the tax revenue for the 2018 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 18-068 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 8/23/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on an ordinance calling two public hearings on the proposed 2018 Tax Rate.
Sponsors: Finance
Indexes:
Code sections:
Attachments: [2018 Tax Notice](#)
[Ord - Tax Increase Hearings 2018](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on an ordinance calling two public hearings on the proposed 2018 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 2018 (fiscal year 2018-2019), the effective tax rate is \$0.707705 per \$100 valuation and the rollback tax rate is \$0.736784 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 2018-2019 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 Tuesday, September 25, 2018, at 7:30 p.m. and Tuesday, October 2, 2018, 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 8, 2018 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 2018, should

they be required.

NOTICE OF 2018 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	\$0.707705 per \$100
ROLLBACK TAX RATE	\$0.736784 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 2017 tax year and the 2018 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:

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

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

First Hearing: September 25, 2018 at 7:30 PM at City Hall Council Chambers 710 E. San Augustine St.
Deer Park, TX 77536.

Second Hearing: October 2, 2018 at 5:30 PM at City Hall Council Chambers 710 E. San Augustine St.
Deer Park, TX 77536.

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, 2019; 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 **Tuesday, September 25, 2018 at 7:30 p.m.** and on **Tuesday, October 2, 2018 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, 2019**, 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 _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-070 **Version:** 1 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 8/24/2018 **In control:** City Council

On agenda: 9/4/2018 **Final action:**

Title: Consideration of and action on an ordinance appointing three members of the Crime Control and Prevention District of the City of Deer Park.

Sponsors: City Manager's Office

Indexes:

Code sections:

Attachments: [Crime Control and Prevention-3 Members-expire 2020-08-2018](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on an ordinance appointing three members of the Crime Control and Prevention District of the City of Deer Park.

Summary:

The State statute (Crime Control and Prevention District Act) which enables creation of a CCPD also specifies the manner in which appointments to the board of directors are to be made. The 2-year terms of Donald Zuckero, Smokey Mather, and Bob Hotten expire effective September 1, 2018. All four members have been contacted and each has indicated willingness to serve another term. Section 363.1015 (b) and (c) of Chapter 363 of the Texas Local Government Code states:

(b) the governing body of the municipality or county may create a board by having each member of the governing body appoint one director to the board, subject to confirmation by the governing body.

(c) A director appointed under Subsection (b) serves:

- (1) at the pleasure of the governing body of the municipality or county; and
- (2) for a term concurrent with the term of the appointing member.

Pursuant to the foregoing, Donald Zuckero, appointed by Councilmember Patterson, Smokey Mather, appointed by Councilmember Martin, and Bob Hotten, appointed by Councilmember Sinor are each hereby proposed to be confirmed by the City Council as members of the Crime Control and Prevention District for a term of two years.

Fiscal/Budgetary Impact:

N/A

Approve the ordinance.

ORDINANCE NO. _____

AN ORDINANCE APPOINTING THREE (3) BOARD MEMBERS OF THE CRIME CONTROL AND PREVENTION DISTRICT OF THE CITY OF DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.

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

1. That **Donald Zuckero**, appointed by Councilmember **Patterson**, **Smokey Mather**, appointed by Councilmember **Martin**, and **Bob Hotten**, appointed by Councilmember **Sinor**, be and are each hereby appointed and confirmed as members of the Crime Control and Prevention District of the City of Deer Park, Texas, for a term expiring August 31, 2020.

2. That the aforesaid appointments serve at the pleasure of the governing body of the City of Deer Park, Texas pursuant to Section 363.1015(b) and (c) of Chapter 363 of the Texas Local Government Code.

3. It is 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.

4 The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary that a board member of the Crime Control and Prevention District be appointed immediately so that the Crime Control and Prevention District of the City of Deer Park can proceed without interruption and assure to the public the continuance of the administration of said district, thereby creating an emergency, for which the Charter requirements providing for the reading of ordinances on three (3) several days should be dispensed with and this Ordinance should 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 _____, 2018 by a vote of _____ “Ayes” and _____ “Noes”.

MAYOR, City of Deer Park

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #:	ORD 18-071	Version:	1	Name:	
Type:	Ordinance	Status:		Agenda Ready	
File created:	8/24/2018	In control:		City Council	
On agenda:	9/4/2018	Final action:			
Title:	Consideration of and action on an ordinance appointing three members of the Fire Control, Prevention and Emergency Medical Services District of the City of Deer Park.				
Sponsors:	City Manager's Office, City Council				
Indexes:					
Code sections:					
Attachments:	Ordinance - Appt Fire Control Emergency Medical Service-3 members-exp 2020-08-2018				

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on an ordinance appointing three members of the Fire Control, Prevention and Emergency Medical Services District of the City of Deer Park.

Summary:

The State statute (Fire Control, Prevention, and Emergency Medical Services District Act) which enables creation of a FCPEDMSD also specifies the manner in which appointments to the board of directors are to be made. The 2-year terms of Sam Pipkin, Michael Records, and Jason Karr expire effective September 1, 2018. Mr. Pipkin and Mr. Records have been contacted and have indicated willingness to serve another term.

Section 344.101(f) of Chapter 344 of the Texas Local Government Code states:

"In a district for which the governing body of the municipality does not serve as the district's board of directors, the governing body may create a board of directors for which one director is appointed by each member of the governing body to serve at the pleasure of that member for a term not to exceed two years and that expires when the member of the governing body that appointed the director leaves office."

Pursuant to the foregoing statute: Sam Pipkin is appointed by Councilmember Patterson, Michael Records is appointed by Councilmember Martin, and Brent Hahn is appointed by Councilmember Sinor.

Fiscal/Budgetary Impact:

N/A

Approve the ordinance.

ORDINANCE NO. _____

AN ORDINANCE APPOINTING THREE (3) BOARD MEMBERS OF THE FIRE CONTROL AND PREVENTION AND EMERGENCY MEDICAL SERVICE BOARD DISTRICT OF THE CITY OF DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.

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

1. That **Sam Pipkin** appointed by Councilmember **Patterson**, and **Michael Records** appointed by Councilmember **Martin**, and **Brent Hahn** appointed by Councilmember **Sinor**, be and are each hereby appointed as members of the Fire Control, Prevention and Emergency Medical Services District of the City of Deer Park, Texas, for a term of two (2) years which ends August 31, 2020.

2. That the right to terminate the aforesaid appointment is subject to Section 344.101 of Chapter 344 of the Texas Local Government Code.

3. It is 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.

4. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary that the board member of the Fire Control, Prevention and Emergency Medical Services District be appointed immediately so that the Fire Control, Prevention and Emergency Medical Services District of the City of Deer Park can proceed without interruption and assure to the public the continuance of the administration of said district, thereby creating an emergency, for which the Charter requirements providing for the reading of ordinances on three (3) several days should be dispensed with and this Ordinance should 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 _____, 2018 by a vote of _____ “Ayes” and _____ “Noes”.

MAYOR, City of Deer Park

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-075 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on an ordinance amending the Fiscal Year 2017-2018 Budget for the Capital Improvement Fund Budget.

Sponsors:

Indexes:

Code sections:

Attachments: [Ord - Amend Budget FY18 Capital Improvements Fund \(Dow Park\)](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on an ordinance amending the Fiscal Year 2017-2018 Budget for the Capital Improvement Fund Budget.

Summary:

The Deer Park Community Development Corporation (DPCDC) is a component unit of the City. The DPCDC budget includes funding for several parks and recreation capital projects, including the Dow Park Pavilion and Improvements project. A contract was awarded to South Pools on this project on February 21, 2017 and subsequent change orders and a budget amendment increased the total contract amount to almost \$750,000.00. Following the termination of South Pools for non-performance under the contract, a contract to complete the project was awarded to Mills Development & Construction, LLC on June 5, 2018. To complete the Dow Park Pavilion and Improvements project will require an additional \$58,051.72, which will exceed the total amount allocated for this project from the dedicated Type B sales tax revenue. Since the Dow Park Pavilion and Improvements project enhances and improves the City-owned Dow Park, and the amount of these expenses exceed DPCDC funding, the City Council may want to consider providing supplemental funds to complete the project.

Fiscal/Budgetary Impact:

The amount of the proposed budget amendment is \$58,052. It would be necessary to amend the FY 2017-2018 Capital Improvements Fund budget to supplement the DPCDC budgeted funds for this project. These funds would come from the unassigned fund balance of the General Fund.

Approve the ordinance amending the Fiscal Year 2017-2018 Budget for the Capital Improvement Fund Budget.

ORDINANCE NO. _____

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

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

I.

That the City of Deer Park's budget for the fiscal year ending September 30, 2018 was duly prepared and filed with the City Secretary, where it was available for inspection by any taxpayer.

II.

That the Deer Park Community Development Corporation (DPCDC) is a component unit of the City, and the DPCDC budget for the fiscal year ending September 30, 2018 is incorporated in the City of Deer Park's budget for the 2017-2018 fiscal year.

III.

That the DPCDC budget includes funding for several parks and recreation capital projects, including the Dow Park Pavilion and Improvements project, which was approved by the voters on May 9, 2015, in the amount of \$1,500,000.

IV.

That on February 21, 2017, the City awarded the contract for the Dow Park Pavilion and Improvements project to the low bidder, South Pools, Inc.

V.

That on June 5, 2018, the City awarded a contract to Mills Development & Construction, LLC to complete the Dow Park Pavilion and Improvements project following the termination of the original contract with South Pools, Inc. due to non-performance.

VI.

That completion of the Dow Park Pavilion and Improvements project will require the additional amount of \$58,052, which exceeds the total amount allocated for this project from the dedicated Type B sales tax revenue approved by the voters on May 9, 2015.

VII.

That since the Dow Park Pavilion and Improvements project enhances and improves the City-owned Dow Park, and funds for the needed change order exceed DPCDC funding, the City Council desires to see that sufficient funds are available to complete the project.

VIII.

That it is necessary to amend the Capital Improvements Fund budget for the fiscal year ending September 30, 2018 to include expenditures of \$58,052 for the cost of the additional work to the Dow Park Pavilion and Improvements project, which will supplement the DPCDC budgeted funds for this project.

IX.

That funding for the amendment to the expenditures of the adopted budget of the Capital Improvements Fund for the fiscal year ending September 30, 2018 will include the amount of \$58,052 from the unassigned fund balance of the General Fund, which is available for this purpose.

X.

That the regular budget of the City of Deer Park, Texas, for the fiscal year ending September 30, 2018, be, and the same is hereby, in all respects finally approved and amended as so described and shall be, and is hereby, filed with the City Secretary of said City.

XI.

That the amounts specified are for the purposes named in said budget, and they are hereby appropriated to and for such purposes.

XII.

That the City Secretary file copies of this Ordinance and of such budget with all public officers as required by the laws of the State of Texas.

XIII.

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.

XIV.

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, and that approval of a 2017-2018 Budget amendment be adopted at the earliest possible moment to comply with the City Charter and Statutes of the State of Texas, 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 the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: CHO 18-004 **Version:** 1 **Name:**
Type: Change Orders **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on proposed change order on the Dow Park Pavilion and Improvements project.
Sponsors: City Manager's Office
Indexes:
Code sections:

Attachments: [20180829112726005](#)
[Change Order - Dow Park Millis](#)
[20180829130416729](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on proposed change order on the Dow Park Pavilion and Improvements project.

Summary:

The Deer Park Community Development Corporation (DPCDC) is a component unit of the City. The DPCDC budget includes funding for several parks and recreation capital projects, including the Dow Park Pavilion and Improvements project. The City of Deer Park entered into a contract with Millis Construction & Development LLC, for completion of the Dow Park Pavilion Project on June 5, 2018. A change order on the project is now needed and the amount of the change order exceeds the total amount allocated for this project from the dedicated Type B sales tax revenue. Since the Dow Park Pavilion and Improvements project enhances and improves the City-owned Dow Park, and amount of the change order exceeds DPCDC funding, the City Council may want to consider providing supplemental funds to complete the project.

Fiscal/Budgetary Impact:

The amount of the change order is \$23,018.95. It would be necessary to amend the FY 2017-2018 Capital Improvements Fund budget to supplement the DPCDC budgeted funds for this project. These funds would come from the unassigned fund balance of the General Fund.

Approve proposed change order on the Dow Park Pavilion and Improvements project.

7/26/2018

MILLIS DEVELOPMENT & CONSTRUCTION, LLC

7/5/2018

Project Name:		Dow Park Pavilion		
PP # 001		Install 6 New GFCI Plugs Overhead as Shown in Construction Documents		
Price includes all material, insurance, labor & supervision to install 6 GFCI plugs 17' above grade as shown and called out on sheet E2.02 Note 5.				
UNIT	QTY	DESCRIPTION	UNIT PRICE	TOTAL
LS	1	See attached sub-contractors proposal	\$3,800.00	\$ 3,800.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
		SUBTOTAL		\$ 3,800.00
		GC OH/P	15%	\$ 570.00
		TOTAL ADDITIONAL COST		\$ 4,370.00
		Bond Premium	2%	\$ 87.40
				\$ 4,457.40
		Number of days to complete project		

7/30/2018

MILLIS DEVELOPMENT & CONSTRUCTION, LLC**7/26/2018**

Project Name:		Dow Park Pavilion		
PP # 003		Installation of Additional Sod in Tree Canopy Area		
Price includes all material, insurance, labor & supervision to 11,000 Square Feet of additional sod in Tree Canopy Area per City of Deer Park request				
UNIT	QTY	DESCRIPTION	UNIT PRICE	TOTAL
SF	11000	Additional Sod	\$ 0.47	\$ 5,170.00
Days	3	Additional Supervision	\$ 250.00	\$ 750.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
		SUBTOTAL		\$ 5,920.00
		GC OH/P	15%	\$ 888.00
		TOTAL ADDITIONAL COST		\$ 6,808.00
		Bond Premium	2%	\$ 136.16
				\$ 6,944.16
		Number of days to complete project		

8/19/2018

MILLIS DEVELOPMENT & CONSTRUCTION, LLC**8/19/2018**

Project Name:		Dow Park Pavilion		
PP # 004		Removal of Existing Storm Drainage Pipe and Re-Grading of Area		
Price includes all material, insurance, labor & supervision to remove an existing storm sewer pipe & box, re-grade areas by cutting out aprox. 8" of existing grade, reshaping and installation of solid sod in specified areas per City of Deer Park request				
UNIT	QTY	DESCRIPTION	UNIT PRICE	TOTAL
LS	1	Grading, sod placement and haul off of existing soil (see attached sub-contractor pricing)	\$ 7,504.00	\$ 7,504.00
LS	1	Additional irrigation zone for new sod placement (see attached sub-contractor pricing)	\$ 1,650.00	\$ 1,650.00
Days	3	Additional Supervision	\$ 250.00	\$ 750.00
			\$ -	\$ -
			\$ -	\$ -
		SUBTOTAL		\$ 9,904.00
		GC OH/P	15%	\$ 1,485.60
		TOTAL ADDITIONAL COST		\$ 11,389.60
		Bond Premium	2%	\$ 227.79
				\$ 11,617.39
		Number of days to complete project		5

Charlie Sandberg

From: Jerett Johnson <jerett@millis.com>
Sent: Monday, August 20, 2018 7:47 PM
To: Charlie Sandberg; Jacob Zuniga; Tiffany McGallian
Cc: Jack Christison
Subject: Dow Park Pavilion Final Cost Proposals
Attachments: Dow Park Pavilion PP #1 Install 6 New GFCI Recepticals Overhead.xls.pdf; Dow Park Pavilion PP #3 Additional Sod for Mulch Area at Tree Canopy.xl....pdf; Dow Park Pavilion PP #4 Removal of Existing Storm Sewer Pipe & Re-Grade....pdf

Importance: High

Charlie,

Please see attached pricing proposals for Dow Park that should be included into the final cost.

Total Value: \$23,018.95

New Contract Total: \$290,116. 36

Thanks,

Jerett J. Johnson

Project Engineer

millis development & construction

931 Pheasant Valley Dr., Suite 200, Missouri City, TX 77489

Direct: (832) 987-1230 | **Office:** (281) 240-6066 | **Fax:** (281) 240-7730



CITY OF DEEER PARK

Change Order No. 1

Dow Park Pavilion Project 8/29/2018

Brief Description of Changes: Material, labor, insurance and install of 6 GFCI plugs, additional 11,000 sq ft of additional sod, Removal of existing storm drainage pipe and re-grading.

Add or Delete Items: GFCI plugs (added), Sod (added), Existing storm pipe (Removed)

Item	Description	Unit	Quantity	Unit Price	Total
	Install 6 new GFCI plugs overhead as shown in construction documents (includes materials, labor, etc.)	LS	1	\$4,457.40	\$ 4,457.40
	Additional 11,000 sod for tree canopy area (includes material, labor, etc.)	LS	1	\$6,944.16	\$ 6,944.16
	Grading, pipe removal, sod replacement. (includes material, labor, etc.)	LS	1	\$11,617.39	\$ 11,617.39
	Additional Supervision (6 days price included in LS items)				\$ -
					\$ -
Total					\$ 23,018.95

Contract Summary:

Original Contract Price	\$267,097.41
Previous Change Orders	\$ -
This Change Order	\$ 23,018.95
Revised Contract Price	\$ 290,116.36

Original Contract Duration - Calendar Days	45
Previous Time Extensions	
This Change Order	6
Revised Contract Duration - Calendar Days	51

Contractor Date

Director of Engineering Date

Architect Date

City Representative Date



Millis Development & Construction, LLC
931 Pheasant Valley Drive, Suite 200
Missouri City, TX 77489
(281) 240-6066; Fax: (281) 240-7730

PRICING PROPOSAL

Proposal #: 1B

Date: 6/11/18

To: City of Deer Park
Charlie Sandberg
csandberg@www.cityofdeerpark.org
281.478.7230

Project: Dow Park
610 E. San Augustine
Deer Park, Texas 77536

Description of Work	Amount
1. Mobilization, Site Supervision & General Conditions	\$27,550.00
2. Large Pavilion Roof Adjustments	
Equipment incl. Man Lift	\$8,687.16
Install Ridge Cap	\$17,908.88
Remove & Replace 130 LF of Roof Panel	\$18,978.07
Install Sheet Metal Trim	\$11,360.11
Install Texas Star	\$3,207.56
Materials for Roof & Texas Star	\$4,009.45
3. Irrigation	
Install 20 zones @ \$1,603.78/EA	\$32,075.60
4. Landscape	
Mexican Red Bud 12 Ea. @ \$564.69	\$6,776.28
Pecan 3 Ea. @ \$584.84	\$1,754.52
Gregg's Mistflower 52 Ea. @ \$16.37	\$851.24
Winecup 8 Ea. @ \$18.84	\$150.72
Purple Coneflower 6 Ea. @ \$10.08	\$60.48
Barbados Cherry 28 Ea. @ \$86.87	\$2,432.36
Pink Flamingo Muhly Grass 18 Ea. @ \$56.57	\$1,018.26
Inland Sea Oats 59 Ea. @ \$8.99	\$530.41
Frogfruit 56 Ea. @ \$19.45	\$1,089.20
Sod 25,100 Square Feet @ \$.47	\$11,797.00
Wildflower Mix 1,624 Square Feet @ \$.41	\$665.84
Decomposed Granite 4 Cubic yards @ \$213.37	\$853.48
Mulch 36 Cubic yards @ \$56.13	\$2,020.68
Bed Backfill Soil 70 Cubic yards \$54.80	\$3,836.00
Fertilizer 17 Ea. @ \$46.78	\$795.26
Grading 1 Lump Sum @ \$10,154.92	\$10,154.92
Haul-off existing soil 25 Loads @ \$200.47	\$5,011.75
Import topsoil 310 Cubic yards @ \$46.67	\$14,467.70
Landscape Maintenance 1 Lump sum @ \$6,682.40	\$6,682.40
Labor 1 Lump sum @ \$25,897.29	\$25,897.29
Equipment 1 Lump sum @ \$5,296.76	\$5,296.76
Overtime 1 Lump sum @ \$4,290.30	\$4,290.30
6. Picnic Table Installation Including labor, material and equipment	\$6,682.50
7. Electrical	
Electrical Light Fixture Install	\$13,000.84
Conduit	\$567.01
Small Building Items	\$4,001.16
Large Building Items including GFCI Repair for benches	\$4,617.54
8. Trail / Pedestrian Safety	\$8,018.88
Total Cost:	\$267,097.41

QUALIFICATIONS

- Price is based on onsite meeting held May 24, 2018 between MDC & Deer Park Representatives and is subject to change if scope varies from information
- Price includes P & P bonds
- Price excludes testing, any testing to be provided and paid for by owner
- Price includes all material, labor, insurance and supervision
- Warranty for electric, landscape & irrigation will be for 1 year on all new material installed under this contract
- excludes warranty on roof outside of scope
- Warranty not included on previously installed work



Legislation Details (With Text)

File #: ACT 18-032 **Version:** 1 **Name:**
Type: Acceptance **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Acceptance of completion and retainage release for DPCDC Dow Park Pavilion Project.
Sponsors: Parks & Recreation
Indexes:
Code sections:
Attachments: [20180829130416729](#)
[Change Order - Dow Park Millis](#)
[20180829112726005](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Acceptance of completion and retainage release for DPCDC Dow Park Pavilion Project.

Summary: Millis Development & Construction, LLC has completed the DPCDC Dow Park Pavilion Project and is now ready for Council acceptance and retainage release. The original contract amount was \$267,097.41. The project had a Change Order in the amount of \$23,018.95. This brings the total cost of the project to \$290,116.36. The Project included the completion of the Dow Park Pavilion Project including infrastructure installation, completion of irrigation, landscaping, grade work, etc. This will complete all items related to the Dow Park Pavilion Improvement Project.

Fiscal/Budgetary Impact:

This project was funded through Type B Funds

Staff is requesting acceptance of the project and release of retainage.



Millis Development & Construction, LLC
931 Pheasant Valley Drive, Suite 200
Missouri City, TX 77489
(281) 240-6066; Fax: (281) 240-7730

PRICING PROPOSAL

Proposal #: 1B

Date: 6/11/18

To: City of Deer Park
Charlie Sandberg
csandberg@cityofdeerpark.org
281.478.7230

Project: Dow Park
610 E. San Augustine
Deer Park, Texas 77536

Description of Work	Amount
1. Mobilization, Site Supervision & General Conditions	\$27,550.00
2. Large Pavilion Roof Adjustments	
Equipment incl. Man Lift	\$8,687.16
Install Ridge Cap	\$17,908.88
Remove & Replace 130 LF of Roof Panel	\$18,978.07
Install Sheet Metal Trim	\$11,360.11
Install Texas Star	\$3,207.56
Materials for Roof & Texas Star	\$4,009.45
3. Irrigation	
Install 20 zones @ \$1,603.78/EA	\$32,075.60
4. Landscape	
Mexican Red Bud 12 Ea. @ \$564.69	\$6,776.28
Pecan 3 Ea. @ \$584.84	\$1,754.52
Gregg's Mistflower 52 Ea. @ \$16.37	\$851.24
Winecup 8 Ea. @ \$18.84	\$150.72
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Barbados Cherry 28 Ea. @ \$86.87	\$2,432.36
Pink Flamingo Muhly Grass 18 Ea. @ \$56.57	\$1,018.26
Inland Sea Oats 59 Ea. @ \$8.99	\$530.41
Frogfruit 56 Ea. @ \$19.45	\$1,089.20
Sod 25,100 Square Feet @ \$.47	\$11,797.00
Wildflower Mix 1,624 Square Feet @ \$.41	\$665.84
Decomposed Granite 4 Cubic yards @ \$213.37	\$853.48
Mulch 36 Cubic yards @ \$56.13	\$2,020.68
Bed Backfill Soil 70 Cubic yards \$54.80	\$3,836.00
Fertilizer 17 Ea @ \$46.78	\$795.26
Grading 1 Lump Sum @ \$10,154.92	\$10,154.92
Haul-off existing soil 25 Loads @ \$200.47	\$5,011.75
Import topsoil 310 Cubic yards @ \$46.67	\$14,467.70
Landscape Maintenance 1 Lump sum @ \$6,682.40	\$6,682.40
Labor 1 Lump sum @ \$25,897.29	\$25,897.29
Equipment 1 Lump sum @ \$5,296.76	\$5,296.76
Overtime 1 Lump sum @ \$4,290.30	\$4,290.30
6. Picnic Table Installation Including labor, material and equipment	\$6,682.50
7. Electrical	
Electrical Light Fixture Install	\$13,000.84
Conduit	\$567.01
Small Building Items	\$4,001.16
Large Building Items including GFCI Repair for benches	\$4,617.54
8. Trail / Pedestrian Safety	\$8,018.88
Total Cost:	\$267,097.41

QUALIFICATIONS

- Price is based on onsite meeting held May 24, 2018 between MDC & Deer Park Representatives and is subject to change if scope varies from information
- Price includes P & P bonds
- Price excludes testing, any testing to be provided and paid for by owner
- Price includes all material, labor, insurance and supervision
- Warranty for electric, landscape & irrigation will be for 1 year on all new material installed under this contract
- excludes warranty on roof outside of scope
- Warranty not included on previously installed work

CITY OF DEER PARK

Change Order No. 1

Dow Park Pavilion Project 8/29/2018

Brief Description of Changes: Material, labor, insurance and install of 6 GFCI plugs, additional 11,000 sq ft of additional sod, Removal of existing storm drainage pipe and re-grading.

Add or Delete Items: GFCI plugs (added), Sod (added), Existing storm pipe (Removed)

Item	Description	Unit	Quantity	Unit Price	Total
	Install 6 new GFCI plugs overhead as shown in construction documents (includes materials, labor, etc.)	LS	1	\$4,457.40	\$ 4,457.40
	Additional 11,000 sod for tree canopy area (includes material, labor, etc.)	LS	1	\$6,944.16	\$ 6,944.16
	Grading, pipe removal, sod replacement. (includes material, labor, etc.)	LS	1	\$11,617.39	\$ 11,617.39
	Additional Supervision (6 days price included in LS items)				\$ -
					\$ -
Total					\$ 23,018.95

Contract Summary:

Original Contract Price	\$267,097.41
Previous Change Orders	\$ -
This Change Order	\$ 23,018.95
Revised Contract Price	\$ 290,116.36

Original Contract Duration - Calendar Days	45
Previous Time Extensions	
This Change Order	6
Revised Contract Duration - Calendar Days	51

Contractor Date

Director of Engineering Date

Architect Date

City Representative Date

7/26/2018

MILLIS DEVELOPMENT & CONSTRUCTION, LLC

7/5/2018

Project Name:		Dow Park Pavilion		
PP # 001		Install 6 New GFCI Plugs Overhead as Shown in Construction Documents		
Price includes all material, insurance, labor & supervision to install 6 GFCI plugs 17' above grade as shown and called out on sheet E2.02 Note 5.				
UNIT	QTY	DESCRIPTION	UNIT PRICE	TOTAL
LS	1	See attached sub-contractors proposal	\$3,800.00	\$ 3,800.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
		SUBTOTAL		\$ 3,800.00
		GC OH/P	15%	\$ 570.00
		TOTAL ADDITIONAL COST		\$ 4,370.00
		Bond Premium	2%	\$ 87.40
				\$ 4,457.40
		Number of days to complete project		

7/30/2018

MILLIS DEVELOPMENT & CONSTRUCTION, LLC**7/26/2018**

Project Name:		Dow Park Pavilion		
PP # 003		Installation of Additional Sod in Tree Canopy Area		
Price includes all material, insurance, labor & supervision to 11,000 Square Feet of additional sod in Tree Canopy Area per City of Deer Park request				
UNIT	QTY	DESCRIPTION	UNIT PRICE	TOTAL
SF	11000	Additional Sod	\$ 0.47	\$ 5,170.00
Days	3	Additional Supervision	\$ 250.00	\$ 750.00
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
		SUBTOTAL		\$ 5,920.00
		GC OH/P	15%	\$ 888.00
		TOTAL ADDITIONAL COST		\$ 6,808.00
		Bond Premium	2%	\$ 136.16
				\$ 6,944.16
		Number of days to complete project		

8/19/2018

MILLIS DEVELOPMENT & CONSTRUCTION, LLC

8/19/2018

Project Name:		Dow Park Pavilion		
PP # 004		Removal of Existing Storm Drainage Pipe and Re-Grading of Area		
Price includes all material, insurance, labor & supervision to remove an existing storm sewer pipe & box, re-grade areas by cutting out aprox. 8" of existing grade, reshaping and installation of solid sod in specified areas per City of Deer Park request				
UNIT	QTY	DESCRIPTION	UNIT PRICE	TOTAL
LS	1	Grading, sod placement and haul off of existing soil (see attached sub-contractor pricing)	\$ 7,504.00	\$ 7,504.00
LS	1	Additional irrigation zone for new sod placement (see attached sub-contractor pricing)	\$ 1,650.00	\$ 1,650.00
Days	3	Additional Supervision	\$ 250.00	\$ 750.00
			\$ -	\$ -
			\$ -	\$ -
		SUBTOTAL		\$ 9,904.00
		GC OH/P	15%	\$ 1,485.60
		TOTAL ADDITIONAL COST		\$ 11,389.60
		Bond Premium	2%	\$ 227.79
				\$ 11,617.39
		Number of days to complete project		5

Charlie Sandberg

From: Jerett Johnson <jerett@millis.com>
Sent: Monday, August 20, 2018 7:47 PM
To: Charlie Sandberg; Jacob Zuniga; Tiffany McGallian
Cc: Jack Christison
Subject: Dow Park Pavilion Final Cost Proposals
Attachments: Dow Park Pavilion PP #1 Install 6 New GFCI Recepticals Overhead.xls.pdf; Dow Park Pavilion PP #3 Additional Sod for Mulch Area at Tree Canopy.xl....pdf; Dow Park Pavilion PP #4 Removal of Existing Storm Sewer Pipe & Re-Grade....pdf

Importance: High

Charlie,

Please see attached pricing proposals for Dow Park that should be included into the final cost.

Total Value: \$23,018.95

New Contract Total: \$290,116. 36

Thanks,

Jerett J. Johnson

Project Engineer

millis development & construction

931 Pheasant Valley Dr., Suite 200, Missouri City, TX 77489

Direct: (832) 987-1230 | **Office:** (281) 240-6066 | **Fax:** (281) 240-7730





Legislation Details (With Text)

File #: ORD 18-067 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 8/15/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on adopting an ordinance for a cross-connection (backflow) control program and revising the Appendix B - Fee Schedule.
Sponsors: Public Works
Indexes:
Code sections:
Attachments: [Add 18-507-Cross Connection Control Program-08-2018](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on adopting an ordinance for a cross-connection (backflow) control program and revising the Appendix B - Fee Schedule.

Summary: The Public Works Department has partnered with Backflow Solutions, Inc. (BSI) Online for backflow test report submittal. When drinking water piping connects to various plumbing fixtures or water utilizing equipment a cross-connection is created. If improperly protected, contamination can result when a backflow event occurs; allowing contaminants to reverse flow from the fixture/equipment back into the drinking water piping.

Conditions that are likely to create a backflow event are typically common, but unfavorable, hydraulic events that occur within the public or private segments of the water distribution system such as: an owner or worker draining down a house or building to make a plumbing repair; a broken water main or distribution pipe; severe/widespread power outages; fire fighters using large quantities of water to extinguish a fire, or; a water utilizing piece of equipment or process creating pressures greater than those present in water distribution system.

When these unfavorable hydraulic events are occurring, contaminants can be back-siphoned into the drinking water due to negative pressures; or contaminants can back-pressured into the drinking water due to excessive pressure imposed by the water utilizing piece of equipment or process.

Modern plumbing fixtures generally have built-in backflow protection. Therefore around the home and office, for the most part, standard plumbing fixtures do not present a hazardous condition. There are, however, numerous applications within commercial and industrial processes that require additional protection. Therefore, directly connected water piping requires a different method of protection which is the backflow preventer. A backflow preventer is a "one-way" appurtenance (an assembly of check valves or a vacuum breaker), that allows water to flow in one direction without the fear of backflow.

The City is required by the State to maintain a cross-connection or backflow program in which certain commercial entities are required to have backflow preventers installed and tested on an annual basis.

These annual test will be submitted online to BSI Online.

Tonight we ask Council to approve a Cross-Connection Ordinance that will enforce this requirement as well as amending the Appendix B - Fee Schedule to include a \$35 fee for each commercial backflow prevention assembly device, \$40 fee for any business that violates this ordinance as well as a \$75 annual registration fee for TCEQ registered backflow testers to show proof they have a current state license and testing equipment in accordance with current TCEQ regulations.

Fiscal/Budgetary Impact: Amend Appendix B - Fee Schedule

Staff recommends approval of this Ordinance and associated fees.

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTION 18-507 OF THE CODE OR ORDINANCES OF THE CITY OF DEER PARK, TEXAS, PROVIDING FOR CROSS-CONNECTION CONTROL PROGRAM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

1. That Section 18-507 of The City Of Deer Park Code Of Ordinances is hereby amended by adding the following:

Section 18-507: Cross-connection control program.

(a) *General Requirments.*

- (1) No water service connection shall be made to any establishment where a potential or actual contamination hazard exists unless the water supply is protected in accordance with the Texas Commission on Environmental Quality's Rules and Regulations for Public Water Systems ("TCEQ Rules") and this Code. The water purveyor shall discontinue water service if a required backflow prevention assembly is not installed, maintained and tested in accordance with the TCEQ Rules and this Code.
- (2) This article applies to all connections to the city's potable water system, and to all installations of backflow prevention assemblies related to the city's potable water system, regardless whether the connection is located within the city limits of Deer Park or in the certificated water service area, and regardless of whether the connection or assembly is for retail, wholesale, or other customer or user of the city potable water system.

(b) *Backflow prevention assembly testing.*

- (1) All backflow prevention assemblies shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least

annually by a recognized backflow prevention assembly tester. A test report must be completed by a recognized backflow prevention assembly tester for each assembly tested. The testing report must be submitted to the city within the time and format specified in the city's notice of the test.

- (2) Assemblies shall be tested, repaired, overhauled, or replaced at the expense of the customer whenever said assemblies are found to be defective. Certification(s) shall be submitted to the city upon completion.
- (3) Original forms of such test, repairs and overhauls shall be kept by the customer for a minimum of 12 months and submitted to the city within the time specified in the city's notice of the test, repair, or overhaul of each backflow prevention assembly. Backflow prevention assemblies shall be maintained for the customer's water system at the customer's expense.
- (4) No backflow prevention assembly or device shall be removed from use, relocated, or other assembly or device substituted without the approval of the city. Whenever the existing assembly is moved from the present location or cannot be repaired, the backflow prevention assembly shall be replaced with a backflow prevention assembly or device that complies with this section, the American Water Works Association Manual M14, current edition, University of Southern California Manual of Cross-Connection Control, current edition, or the current plumbing code of the city, whichever is more stringent.
- (5) All backflow prevention assemblies shall be installed and maintained in accordance with the manufacturer's instructions, the American Water Works Association Manual M14 or the University of Southern California Manual of Cross-Connection Control.
- (6) Test gauges used for backflow prevention assemblies shall be calibrated at least annually in accordance with the University of Southern California's Manual of Cross-Connection

or the American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual 14).

- (7) A recognized backflow prevention assembly tester must hold a current endorsement from the Texas Commission on Environmental Quality (TCEQ) and register with the city.
- (8) Annual inspections shall be made of all backflow prevention assemblies and air gaps to determine whether they are operable. In the absence of local provisions, the owner is responsible to ensure that testing is performed.
- (9) Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, pressure vacuum breaker assemblies, reduced pressure detector fire protection backflow prevention assemblies, double check detector fire protection backflow prevention assemblies, hose connection backflow preventers, and spill-proof vacuum breakers shall be tested at the time of installation, immediately after repairs or relocation, and at least annually.
- (10) The testing procedure shall be performed in accordance with applicable local provisions. In the absence of local provisions, the owner is responsible to ensure that testing is done in accordance with one of the following standards: ASSE 5013; ASSE 5015; ASSE 5020; ASSE 5047; ASSE 5048; ASSE 5052; ASSE 5056; CSA B64.10; or, CSA B64.10.1.

(c) Customer service inspections.

- (1) The city shall perform or have performed a customer service inspection prior to providing continuous water service to all new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other contaminant hazards exists, or after any material improvement, correction, or addition to the private water distribution facilities.
- (2) Individuals with the following credentials conduct the customer service inspection:

- a. Plumbing inspectors and water supply protection specialists that have been licensed by the state board of plumbing examiners.
 - b. Customer service inspectors who have completed a TCEQ approved course, passed an examination administered by the commission or its designated agent and hold current certification or endorsement as a customer service inspector.
- (3) The customer service inspection must certify that the plumbing installation is in compliance with the following requirements:
- a. There is no direct connection between the public drinking water supply and a potential source of contamination. Potential sources of contaminants are isolated from the public water system by an air-gap or an appropriate backflow prevention device.
 - b. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
 - c. No connection that allows water to be returned to the public drinking water supply is permitted.
 - d. No pipe or pipe fitting which contains more than 0.25 percent lead may be used for the installation or repair of plumbing at any connection that provides water for human use.
 - e. No solder or flux that contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use. A minimum of one lead test shall be performed for each backflow assembly inspection.

(d) Cross-connection control fees.

- (1) Backflow prevention assembly registration fee(s); One-time nonrefundable registration fee of \$35.00 for each nonresidential backflow prevention assembly device, per each separate device, shall be billed through the water bill.
- (2) Certified backflow prevention assembly tester registration fee: Annual registration fee of \$75.00 for TCEQ approved testers shall be a nonrefundable fee to show proof of their current TCEQ license and testing equipment in accordance with current TCEQ regulations.

(e) **Enforcement.** City water service to any premises may be discontinued and assessed a processing fee of \$40.00 in accordance with the regulations for discontinuance of service to a city customer if a backflow prevention assembly is not installed, tested, or maintained as required by these regulations, or if it is found that a backflow prevention assembly has been removed, bypassed, or if an unprotected cross-connection or other

2. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

3. It is 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.

4. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary that the above regulations be immediately put into effect to provide cross-connection controls to prevent drinking water contamination for the protection of persons and property, 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 should 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 _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”.**

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-072 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 8/29/2018 **In control:** City Council
On agenda: 9/4/2018 **Final action:**
Title: Consideration of and action on an ordinance calling a public hearing to adopt Standards of Care for the All Star Activity Program.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments: [Hearing-After School Care-9-25-2018-](#)

Date	Ver.	Action By	Action	Result
9/4/2018	1	City Council		

Consideration of and action on an ordinance calling a public hearing to adopt Standards of Care for the All Star Activity Program.

Summary:

It is proposed that a public hearing be held on September 25, 2018 at 7:30 p.m. to adopt the Standards of Care for the All Star Activity Program.

Fiscal/Budgetary Impact:

Approve the ordinance.

ORDINANCE NO. _____

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.

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

I.

“Pursuant to the provisions of Section 42.041 of the Texas Human Resources Code, the City Council of the City of Deer Park, Texas, has called, and does hereby call, a Public Hearing to be held on the 25th day of September, 2018, at 7:30 o’clock p.m. in the City Council Chamber at the City Hall of said City at 710 E. San Augustine Street in said City, at which time and place they will hear all persons desiring to be heard on or in connection with any matter or questions involving the adoption by the City of Standards of care for an After School Program.”

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 of the Government Code of the State of Texas.

IV.

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 the _____ day of _____, 2018 by a vote of _____ “Ayes” and _____ “Noes”.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney