



T. J. Haight, President, Position 2
Georgette Ford, Vice President, Position 7
Sue Mauk, Secretary, Position 1
Jeff Lawther, Treasurer, Position 4

Scott Sotelo, Position 3
Doug Burgess, Position 5
Laura Hicks, Position 6

CALL TO ORDER

NEW BUSINESS

1. Announcement of appointments to the Board of Directors. [APT 18-009](#)

Recommended Action: Announcement of appointments: T.J. Haight - Position 2, Jeff Lawther - Position 4 and Laura Hicks - Position 6.
No action needed.

Department: City Manager's Office

2. Approval of minutes of regular meeting on July 23, 2018. [MIN 18-142](#)

Recommended Action: Approval

Attachments: [CDC_MR_072318](#)

3. Approval of minutes of joint meeting on July 23, 2018. [MIN 18-143](#)

Recommended Action: Approval

Attachments: [CDC_MW_072318.JOINT CC PARC](#)

4. Consideration of and action on the annual review and an order to adopt the Investment Policy for the Deer Park Community Development Corporation. [POL 18-008](#)

Recommended Action: Review and adopt the Investment Policy.

Department: Finance

Attachments: [DPCDC Investment Policy - 2018](#)

[DPCDC Investment Policy Review - 10.22.18](#)

5. Discussion of issues relating to the current status of DPCDC projects. [RPT 18-048](#)

Recommended Action: Receive the report.

Attachments: [Deer Park CDC Project Update 102218](#)

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.

6. Discussion of issues relating to additional expenses and funding from the Maxwell Adult Center unencumbered balance. [DIS 18-148](#)

Recommended Action: Discussion Only

7. Consideration of and possible action on the quarterly report for the period of July 1, 2018 - September 30, 2018. [RPT 18-047](#)

Recommended Action: Approve the quarterly report for the period of July 1, 2018 - September 30, 2018 and authorize submission to the City Council.

Department: City Manager's Office

Attachments: [DPCDC Qtr Report - 9.30.18 \(cumulative\)](#)

8. Consideration of and action on authorization and recommendation to City Council for an amendment to utilize the existing unencumbered funds from the Maxwell Adult Center project for the purchase and installation of security camera equipment from Lensec structured cabling to City Council. [AUT 18-090](#)

Recommended Action: Recommend the amendment to authorize the utilization of the existing unencumbered funds from the Maxwell Adult Center project for the purchase and installation of security camera equipment from Lensec to City Council in the amount of \$13,331.58.

Attachments: [Deer Park - Maxwell Center Renovation Cameras V3](#)

9. Consideration of and action on recommending to City Council to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming. [AUT 18-094](#)

Recommended Action: Recommend to City Council to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming.

Attachments: [Deer Park Task Order 005-final](#)

10. Consideration of and action on recommending to City Council to authorize negotiating a professional services agreement with Brinkley Sargent Wigington Architects for programming services associated with the Community Center and Gymnasium. [AUT 18-095](#)

Recommended Action: Recommend to City Council to authorize negotiating a professional services agreement with Brinkley Sargent Wigington Architects for programming services associated with the Community Center and Gymnasium.

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 on recommending to City Council to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails.

[AUT 18-096](#)

Recommended Action: Recommend to City Council to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails.

Attachments: [Deer Park Task Order 16- 007-Draft Hike and Bike](#)
[Deer Park Ph2 Trails Attachements A-B-C](#)

12. Consideration of and action on recommending to City Council to authorize solicitation of statements of qualifications for professional services related to the development of hike and bike trails.

[AUT 18-097](#)

Recommended Action: Recommend to City Council to authorize solicitation of statements of qualifications for professional services related to the development of hike and bike trails.

13. Consideration of and action on authorization and recommendation to City Council to utilize existing unencumbered funds from the Maxwell Adult Center project for an amendment to the professional services agreement with Halff Associates for additional construction phase services due to the extended construction schedule.

[AUT 18-098](#)

Recommended Action: Recommendation to City Council to utilize existing unencumbered funds from the Maxwell Adult Center project for an amendment to the professional services agreement with Halff Associates for additional construction phase services in the amount of \$14,000 due to the extended construction schedule.

Attachments: [Deer Park Maxwell TO no 16004F rev1 for City review 10-9-2018](#)

ADJOURN

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
October 19, 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.

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



Legislation Details (With Text)

File #: APT 18-009 **Version:** 1 **Name:**
Type: Appointment **Status:** Agenda Ready
File created: 10/18/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Announcement of appointments to the Board of Directors.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Announcement of appointments to the Board of Directors.

Summary:

The Deer Park City Council appoints a board of seven (7) directors of the Deer Park Community Development Corporation. The Corporation bylaws state:

“2.1 Number, Appointment, and Term of Office. The business and affairs of the corporation shall be managed by a board of seven (7) directors (the “Board”). Directors shall be appointed by the City Council, and at least three (3) directors must not be employees, officers, or members of the City Council. Each member of the Board shall serve at the pleasure of the City Council for a term of two years. Places 1, 3, 5, and 7 will be appointed in odd- numbered years, and Places 2, 4, and 6 appointed in even numbered years. The initial directors shall draw lots to determine places. Terms begin on October 1 of each year.”

The 2-year terms that expired on September 30, 2018 were: Position 2 (T.J. Haight), Position 4 (Jeff Lawther), and Position 6 (Brad Wells).

On October 16, 2018, the Deer Park City Council re-appointed T.J. Haight to Position 2, and Jeff Lawther to Position 4. In addition, Laura Hicks was appointed to Position 6.

The right to terminate the previously mentioned appointments is reserved by the City Council, and may be exercised by it at its will, with or without good cause pursuant to Section 2.2 of the DPCDC Bylaws.

Fiscal/Budgetary Impact:

N/A

Announcement of appointments: T.J. Haight - Position 2, Jeff Lawther - Position 4 and Laura Hicks -

Position 6.

No action needed.



Legislation Details (With Text)

File #: MIN 18-142 **Version:** 1 **Name:**

Type: Minutes **Status:** Agenda Ready

File created: 10/18/2018 **In control:** Deer Park Community Development Corporation

On agenda: 10/22/2018 **Final action:**

Title: Approval of minutes of regular meeting on July 23, 2018.

Sponsors:

Indexes:

Code sections:

Attachments: [CDC_MR_072318](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Approval of minutes of regular meeting on July 23, 2018.

Summary:

Fiscal/Budgetary Impact:

Approval

CITY OF DEER PARK

CDC 1-177

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

THE REGULAR MEETING OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS HELD AT THE DEER PARK COUNCIL CHAMBERS, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS, JULY 23, 2018 AT 6:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

T.J. HAIGHT
SONIA ACOSTA
DONNA TODD
SUE MAUK
DOUG BURGESS
JEFF LAWTHOR

PRESIDENT
DEPUTY CITY SECRETARY
TREASURER
MEMBER
MEMBER
MEMBER

OTHER OFFICIALS PRESENT:

GARY JACKSON

ASSISTANT CITY MANAGER

1. MEETING CALLED TO ORDER – President T.J. Haight called the meeting to order at 6:30 p.m.
2. RECESS/RECONVENE – President T.J. Haight recessed the meeting at 6:30 p.m. and reconvened the meeting at 6:58 p.m.
4. APPROVAL OF MINUTES OF REGULAR MEETING ON APRIL 23, 2018 - Motion was made by Sue Mauk and seconded by Doug Burgess to approve the minutes of the regular meeting on April 23, 2018. Motion carried unanimously.
5. CONSIDERATION OF AND ACTION ON APPROVING THE FISCAL YEAR 2018-2019 DEER PARK COMMUNITY DEVELOPMENT CORPORATION BUDGET AND SUBMISSION TO CITY COUNCIL – Finance Director, Donna Todd, gave an overview of the final proposed budget and referenced a change from the preliminary budget presented and discussed at the April 23, 2018 Board meeting. The \$5,850,000 debt issuance for the Community Center and Gym Renovation/Expansion originally planned for October 2018 has been postponed to February 2019. This change resulted in a \$1,290,138 reduction in the annual debt service for the Fiscal Year 2018-2019. The final proposed 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). The operating transfers are primarily to pay for the debt service costs on the bonds funding the approved Type B capital projects, including

estimated issuance and debt service costs for the final debt issuance of \$5,850,000 in 2019. These transfers also include pay-as-you-go funding for approved capital projects.

Motion was made by Sue Mauk and seconded by Jeff Lawther to approve the FY 2018-19 Deer Park Community Development Corporation Budget and submission to Council. Motion carried unanimously.

6. CONSIDERATION OF AND POSSIBLE ACTION ON THE QUARTERLY REPORT FOR THE PERIOD OF APRIL 1, 2018 – JUNE 30, 2018 – Assistant City Manager, Gary Jackson gave an overview of the quarterly report and activities conducted during the previous quarter. This report shall be reviewed by the Board by the end of the month following the end of each quarter and then submitted to City Council immediately thereafter. (Exhibit A1-A7)

Motion was made by Sue Mauk and seconded by Doug Burgess to approve the quarterly report for the period of April 1, 2018 – June 30, 2018. Motion carried unanimously.

7. DISCUSSION OF ISSUES RELATING TO THE CURRENT STATUS OF DEER PARK COMMUNITY DEVELOPMENT CORPORATION PROJECTS – Parks and Recreation Director, Charlie Sandberg gave a detailed update on the DPCDC projects that included Dow Park Pavilion, Maxwell Adult Center, Girls Softball Complex, Soccer Complex, Community Center, Hike and Bike Trails and the Spencerview Athletic Complex. (Exhibit B1-B2)

President Haight asked, "Is there a completion date on the Soccer Fields?"

Mr. Sandberg responded, "Spring of 2019."

President Haight commented, "On behalf of the Community Development Corporation, we would like to thank you Mr. Sandberg and your team's time and due diligence with these projects. You are doing a great job."

8. ANNOUNCEMENT OF DATE AND TIME OF THE NEXT DPCDC REGULAR BOARD MEETING – President Haight announced the next regular DPCDC meeting on October 22, 2018 at 5:30 p.m.

Motion was made by Sue Mauk and seconded by Jeff Lawther to acknowledge the date and time of the next Community Development Corporation regular Board meeting.

9. ADJOURN – President Haight adjourned the meeting at 7:13 p.m.

ATTEST:

APPROVED:

Shannon Bennett
City Secretary

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



Legislation Details (With Text)

File #: MIN 18-143 **Version:** 1 **Name:**

Type: Minutes **Status:** Agenda Ready

File created: 10/18/2018 **In control:** Deer Park Community Development Corporation

On agenda: 10/22/2018 **Final action:**

Title: Approval of minutes of joint meeting on July 23, 2018.

Sponsors:

Indexes:

Code sections:

Attachments: [CDC_MW_072318.JOINT CC PARC](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Approval of minutes of joint meeting on July 23, 2018.

Summary:

Fiscal/Budgetary Impact:

Approval

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

CC 77-141
CDC 1-168

Minutes

of

A JOINT WORKSHOP MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION AND PARKS AND RECREATION COMMISSION HELD AT CITY HALL 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON JULY 23, 2018 BEGINNING AT 5:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

MEMBERS OF DEER PARK COMMUNITY DEVELOPMENT CORPORATION PRESENT:

T. J. HAIGHT	PRESIDENT
SUE MAUK	SECRETARY
DOUG BURGESS	MEMBER
JEFF LAWOTHER	MEMBER

MEMBERS OF THE PARKS AND RECREATION COMMISSION PRESENT:

JO KEIFER	VICE CHAIRMAN
SHERRY REDWINE	MEMBER
ERIC RIPLEY	MEMBER

OTHER CITY OFFICIALS PRESENT:

JAMES STOKES	CITY MANAGER
GARY JACKSON	ASSISTANT CITY MANAGER
SONIA ACOSTA	DEPUTY CITY SECRETARY
CHARLIE SANDBERG	PARKS & RECREATION DIRECTOR

1. MEETING CALLED TO ORDER – Mayor Mouton opened the meeting on behalf of the City Council, President T. J. Haight opened on behalf of the Deer Park Community Development Corporation and Vice Chairman, Jo Kiefer, opened on behalf of the Parks and Recreation Commission at 5:30 p.m.

2. DISCUSSION OF ISSUES RELATING TO THE DEER PARK COMMUNITY CENTER

– Assistant City Manager, Gary Jackson began the meeting by thanking everyone for their attendance. “I want to thank each of these three groups for coming out on this warm evening.”

Parks and Recreation Director, Charlie Sandberg gave background details of the Community Center project and highlighted critical information of the renovations and expansion proposed, to include an indoor pool included in the project plan. There are 6 million dollars allocated for the renovation and expansion of the project.

Mr. Jackson commented, “From inception of the project, it was planned, that in 2018, the design process would start as well as selling the debt on the bond. There are a number of deficiencies that are noted in the structural integrity of the building. We are not ready to sell the bonds yet. Once the bonds are sold, it is mandatory to spend a certain amount of money each year over a three year period and we are not in the position to do that yet. There are some critical decisions we have to make. We wanted to start the process in 2018, but it might take a little longer than that.”

Mr. Sandberg continued discussing the background details of the Community Center. The building opened up in 1975 with about 15,378 square feet in size. An addition of 8,755 square feet was constructed in 2007, yielding a total of approximately 24,133 square feet. The Earl Dunn Center was built west of the Community Center in 1982 with approximately 7,000 square feet. Building conditions varies with each component and in general, the facilities appear to have been reasonably maintained and are functioning currently as it was originally intended to. With the aging of the facilities, they have become outdated and somewhat structurally and functionally obsolete.

Mr. Sandberg commented, “Mr. Steven Springs with Brinkley,Sargent,Wiginton Architects, will be giving many details of the building observation survey conducted pertaining to the condition of the two buildings.”

Mr. Springs began his discussion with key site observations. The buildings are in an anchored corner with a large park which land locks the buildings and limits the expansion. The building observation survey indicates very little accessibility compliance with current accessibility standards. There are challenges relating to changes needing to be made due to the vintage aspect of the building. The building has a history of foundation movement over time. Movement is very evident at the addition point and at the point of connection between it and the original building. The structural movement is causing some problems exposing the building to water damage and creating ongoing maintenance challenges. Also issues with mechanical, electrical and plumbing systems. Currently, those systems are operating fine, but noted by their age, they are toward the end of their life cycle. Permanent repairs to the structure would necessarily be highly invasive and lack 100% certainty. It would also be very expensive, and Deer Park should seriously consider replacement, versus repair of the Community Center. The cost and consequences of the disruption of services should

also factor into such consideration. A renovation would most likely interrupt the operations of the building. The three main issues to consider, that lead to a recommendation of replacement, are structural movement, life span of systems within the building and the functionality of the facility. The Earl Dunn building does not show to have as many issues as the Community Center, besides some systems nearing the end of their life cycle and the facility itself being outdated. No significant structural problems were detected for the Earl Dunn building. An assessment of the brick on the buildings was also discussed. There is displacement, which causes a risk of brick coming off the wall. Once water infiltration hits a certain degree, it starts rusting the brick ties, which ultimately cause the displacement. This assessment of the facilities are all visual and non-destructively. To learn more about if repair/renovation is the direction taken, there will be some kind of destructive analysis.

Mayor Mouton asked, "Can you give a brief description of what destructive analysis means? For example, the brick analysis, how are you going to determine if the brick ties are still there?"

Mr. Springs responded, "You cannot know what is going on in a concealed condition without revealing it. The only way to determine that is to take the brick off. The danger with that is, once you peel it off and there is a problem, the question arises, when do the dominos start falling?"

Mayor Mouton asked, "Are we in any position to quantify some kind of dollar amount if we chose not to want to replace the building? What will the costs be to keep the building functional and operational without doing any destructive analysis?"

Mr. Springs responded, "We have not that on our side. All you can really do is try to come up with a budget guess based on a square footage cost."

Mayor Mouton asked, "Could that be an option without a destructive analysis?"

City Manager, Jay Stokes, commented, "Let's go to all the bullet points and other problems and then we can talk about what some of the costs might be."

Mayor Mouton asked, "Do we know internally what this would be valued at before we even get into cost analysis for fixing the building?"

Mr. Stokes responded, "We can look at the amount it is insured for, the replacement costs, but I do not know the dollar amount right off the top of my head."

Mr. Springs continued discussing other significant issues and emphasized that once a space or a component of a building is touched, that space or component will have to be brought up to code.

Mayor Mouton commented, "It might be wise to spend what it would cost on a new facility."

Councilwoman Sinor asked, "Are we surprised at all this?"

Mr. Sandberg responded, "When the report came out in 2016, the decision was made to not move forward because we were not selling the bonds for the Community Center project until 2018 because there were so many projects already in progress."

Councilwoman Sinor asked, "How did we come up with 6 million dollars to renovate?"

Mayor Mouton responded, "That was already done before the study in 2016."

Councilwoman Sinor asked, "Does our engineering department get involved?"

Assistant Public Works Director, Brent Costlow responded, "If there is an issue, we do get involved. There were some plumbing issues before."

Mr. Stokes commented, "Whenever we set the budget, it was not based on this study. It was based on what we thought it would cost to try and get an expansion that included a pool. We have known for a long time that the building has problems. I do not think anyone thought it would be this extensive of issues."

Councilwoman Garrison commented, "It is better we get into this now, instead of waiting and starting the renovations process."

Mayor Mouton asked, "It hasn't gotten worse since 2016 has it?"

Mr. Springs responded, "I have to confess, that I have not walked through the building since 2016. We were involved in the Maxwell Center as well and did the assessment of both Community Center and the Maxwell Center buildings at the same time. The Community Center was tabled because it was not planned to be done for a couple of years, so the focus was put on the Maxwell Center. We did not do a needs assessment on the Community Center like we did at the Maxwell Center."

Councilwoman Garrison asked, "Is it getting worse?"

Mr. Sandberg responded, "Physically, no it has not."

Mr. Costlow commented, "There is nothing currently where you can see a dramatic difference. What we worry about is what we can't see."

Mr. Springs commented, "Whatever you decide today, you are still going to be challenged with a high maintenance building. You can continue to maintain, just know it will continue to be high maintenance because it is not going to stop moving."

Mr. Jackson commented, "In addition to the maintenance, if we went in and tried to start making improvements like putting in pools and we have leaking underground plumbing, those things will have to be addressed first."

Mr. Springs commented, "You would get more bang for your buck in terms of cost for square foot by doing a new structure or a significant addition to an existing structure, than doing incremental expansions. That can get expensive."

John Schmitz, of Schmitz Partners Engineering PLLC., commented, "It is my understanding that in the program, there are talks of a possible inside pool. From a structural standpoint, that would be a big mistake. There is extremely expansive soil under the building. This soil has a liquid limit of 40, the recommended liquid limit is 30, a plasticity index of the soil under the building is over 30 and the recommended plasticity should only be 20, so this soil is highly expansive. The only way you can keep the expansive soils from reacting is to keep down the moisture content. Pools have a tendency to leak, and that will be adding more danger to that expansive soil. In my professional opinion, I would take the pool out of the plans."

Mayor Mouton commented, "We have already promised some kind of a pool and it is already in the verbiage. There will be some kind of inside pool, available year round for water aerobics. I do value and appreciate your professional opinion because I do agree that it would be a major issue to try and incorporate it. Part of this discussion today is the beginning of the first steps to figure out where we go from here."

Councilman Patterson asked, "Are you saying not to put in any kind of pool or just an indoor pool?"

Mr. Schmitz responded, "An inside pool."

Board Member, Jeff Lawther asked, "Can you not separate the cost for the repairs and maintenance of the existing building from the expansion of the new facility? The repairs of the existing building are needing to be done whether we pass this tax or not. Does that money have to necessarily come from Type B tax or can you not separate the two and take the money from somewhere else?"

Mayor Mouton responded, "Yes. We can separate it and take the money from somewhere else."

Mr. Lawther commented, "You must have had some kind of an idea what you were going to spend the 6 million dollars on."

Mayor Mouton commented, "The logical next step is to figure out what we need to spend the 6 million dollars on. We do not have to spend it on any repairs. We can figure out many other options. We can figure out how to maintain the building if we do not want to replace it or we could ignore some of the problems, and then what would we do with the 6 million dollars."

Mr. Lawther asked, "Was there set plans drawn of what to do with the 6 million dollars?"

Mayor Mouton responded, "No, there was not. I think your point is valid, and we should put everything on the table. Do we just maintain the building, or try to fix it? I am throwing that out, not only to Council, but to Staff and other representatives as stakeholders in this process, to figure out a definitive direction."

Councilman Patterson asked, "From a legal standpoint, the 6 million dollars can only be spent on what was identified?"

Mr. Gary Jackson responded, "There are two different items that work together. One is the ballot language. There was no dollar amount on the ballot. The advice we were given by the bond counsel was to not have dollar amounts on the ballot for legal reasons. Council passed a resolution, and it merged the dollar amounts that were passed within fiscal parameters along with the ballot language of what the authorized projects were. Even though the ballot does not say a principal amount, the resolution still binds us to a dollar. Also, if you spent less on one project and you had savings, you could potentially use the money on another project."

Councilman Patterson commented, "It seems to me that the building is a loss. It seems to me, the right thing to do is to build a new building and to incorporate the pool and the expansion. To renovate that building, in my humble opinion, does not appear like the right thing to do."

Councilwoman Garrison asked, "Are we bound to stay within the park parameter?"

Mr. Jackson responded, "You couldn't venture off from the Dow Park area."

Councilman Martin asked, "The language for the renovation and expansion would apply if we do what is recommended, even if it is totally rebuilding, providing it is in the park area?"

Councilman Patterson asked, "I am assuming we would be free to move the programs to other city facilities that we have in town?"

Mr. Sandberg responded, "We have contractual obligations to programs and instructors and also rentals that are booked at least a year in advance."

Councilman Patterson asked, "I am guessing we will figure all that out."

Mayor Mouton asked, "Where do we go from here in regards to Council? Do we want to explore the analysis of what it is going to take to repair the building to give it an extended life?"

Councilwoman Garrison responded, "No, I do not."

Councilman Patterson commented, "No. I think we are going to come up with the same conclusion as we did with City Hall."

Mayor Mouton asked, "How much will it cost to do the analysis?"

Mr. Jackson responded, "Getting to the dollar amount will mean we will have to go do some destructive testing. What is entailed in that testing is if we tore off some brick, there is a chance it may all the come off. What happens if the wall behind the brick has issues too?"

Councilman Patterson commented, "We have recommendations from the experts, saying that we should not move forward with trying to fix the building. The bottom line is that the building is broke."

Mr. Jackson commented, "It would be very likely you would be throwing money away."

Councilwoman Sinor commented, "Can the money legally be rolled over?"

Mr. Stokes responded, "It absolutely can be used for that."

Mayor Mouton commented, "There are some different aspects of things we can do."

2. RECESSED/RECONVENED – Mayor Mouton recessed the meeting at 6:30 p.m. to allow the opening of the Deer Park Community Development Corporation regular meeting and reconvened the joint meeting at 6:31 p.m.

Mayor Mouton commented, "We need to try and give some kind of a definitive direction of what we would like to see, where we want to go from here and narrow it down to some items we would like to explore to try and give Staff, the architectural firms and engineering firms a chance to give us answers that could help us make a decision."

Councilman Patterson commented, "I would like to move forward with constructing a new building and to try and incorporate all the things we need to incorporate."

Mayor Mouton asked, "What do we do with the 6 million dollars?"

Councilman Patterson responded, "I thought we could use it."

Mayor Mouton responded, "We can, but it won't be enough."

Councilman Patterson commented, "If it was me, I would start working on a project plan that can tell me how much it is going to cost."

Mr. Stokes commented, "In the interim, we could be saving the money. There is nothing that says we have to borrow that 6 million dollars. If it takes a couple of years to figure it out, we could be saving that money. If it ultimately comes up to 6 million dollars, we wouldn't have to borrow it, we would already have the 6 million dollars."

Mayor Mouton asked, "Going back to the pool option, could that be separated and done with a portion of that money if we figure out a plan and have that as a secondary action item to explore? For the wet and dry side, since there are two different components, which it is in the verbiage, shouldn't we be at least be on two different tracks of exploring options and cost?"

Councilwoman Garrison asked, "Shouldn't we know at least how much the dry side is going to cost before we decide to separate the two?"

Councilwoman Sinor commented, "We can't just say we decided because we know it is going to be real expensive. We have to have a number."

Mr. Springs commented, "We still have our needs assessment portion of the original project that we haven't done yet. I would suggest, with that remaining fee, to try and develop several conceptual budget scenarios. At least, that would give you some notion on where to start prioritizing for what is needed in the community. We could frame conceptual budget scenarios for you. It sounds like that was one of the challenges you had on prior projects, a budget that was not based on a scope of work. Now, we can develop various scopes of work and the budget it would take to execute that."

Mr. Stokes commented, "One thing to think about, is who do you want to do that? Do you want a committee?"

Councilwoman Sinor commented, "I think you have to have Staff involved."

Mr. Springs commented, "It is not in our current fee to be down here doing a bunch of public meetings."

Councilwoman Sinor commented, “If we do stick with the renovation of that building, what would that renovation look like and the cost to that.”

Councilwoman Garrison commented, “A new building not a renovation.”

Councilwoman Sinor commented, “You can’t just tell citizens you don’t know.”

Councilwoman Garrison responded, “I think they can look at the report.”

Mayor Mouton commented, “I think it would behoove us to have some kind of a dollar figure and try to attach an appraised value to the balance worth of the building and where we exceed that to get it up to code. Even though I think it would be best not to do the destructive analysis to find that number.”

After a discussion, it was agreed upon to form a committee with eight members to be part of the study analysis for the Community Center.

3. ADJOURN – Mayor Mouton adjourned the workshop meeting on behalf of City Council, President Haight adjourned on behalf of the Deer Park Community Development Corporation and Vice Chairman Kiefer adjourned on behalf of the Parks and Recreation Commission at 6:42 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
Deputy City Secretary

Jerry Mouton, Mayor
City Deer Park City Council

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

Jo Kiefer, Vice Chairman
Parks and Recreation Commission



Legislation Details (With Text)

File #: POL 18-008 **Version:** 1 **Name:**
Type: Policy **Status:** Agenda Ready
File created: 10/4/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Consideration of and action on the annual review and an order to adopt the Investment Policy for the Deer Park Community Development Corporation.
Sponsors: Finance
Indexes:
Code sections:
Attachments: [DPCDC Investment Policy - 2018](#)
[DPCDC Investment Policy Review - 10.22.18](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on the annual review and an order to adopt the Investment Policy for the Deer Park Community Development Corporation.

Summary: In compliance with the Texas Public Funds Investment Act, Government Code Ch. 2256 as amended (the "Act"), the Board has established an Investment Policy for the Deer Park Community Development Corporation (the "Corporation"). The Act also requires that the Board, not less than annually, adopt a written instrument stating that it has reviewed the Investment Policy and investment strategies. The written instrument must record any changes made to the policy or strategies. The Corporation's Investment Policy was last reviewed in October 2017.

In accordance with the Bylaws of the Corporation, the "management, security and investment of [monies of the Corporation]...shall be performed by the City [of Deer Park (the "City")], which may include the services of any investment consultant hired by the City." The Corporation has elected to comply with the Act and has established a policy comparable to the investment policy of the City. The City has recently updated and adopted its investment policy in accordance with the Act making several minor changes, including further clarification of the 2017 legislative changes incorporated in the last update. These changes have been incorporated in the Corporation's investment policy and are summarized on the attached DPCDC Investment Policy Review.

Fiscal/Budgetary Impact: N/A.

Review and adopt the Investment Policy.

ORDER NO. _____

AN ORDER TO REVIEW AND ADOPT THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION INVESTMENT POLICY.

THE BOARD OF DIRECTORS OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION hereby reviews and adopts the following Investment Policy, which conforms with all current State and Federal regulations:

I. POLICY

It is the policy of the Deer Park Community Development Corporation (the "Corporation") to invest funds in a manner that will ensure the preservation of capital, meet the daily cash flow needs of the Corporation, conform to all applicable state statutes and provide reasonable investment returns.

The Texas Public Funds Investment Act, Government Code Ch. 2256 as amended (the "Act") prescribes that each city shall adopt rules to govern its investment practices and to define the authority of the investment officer(s). The City of Deer Park (the "City") has adopted a policy in accordance with the Act to address the methods, procedures, and practices established to ensure effective and judicious fiscal management of the City's funds worthy of the public trust. The Corporation, having entered into an agreement with the City whereby the City shall perform administrative services for the Corporation, including cash and investment management, hereby elects to comply with the Act and to establish a policy comparable to the investment policy of the City.

II. SCOPE

This investment policy shall apply to all financial assets and funds under control of the Corporation, other than those expressly excluded herein or by applicable law or valid agreement. These funds include tax revenues, charges for services, and interest earnings.

The overall investment program shall be designed and managed with a degree of professionalism that is worthy of the public trust. The Board of Directors of the Corporation (the "Board") and the investment officers shall recognize that the investment activities of the Corporation are a matter of public record.

III. OBJECTIVES AND STRATEGY

The Corporation strives to invest funds in a manner where the rate of return is secondary to safety and liquidity. To accomplish this, the Corporation's principal investment objectives, in priority order, are as follows:

- A. *Suitability.* Each investment must be in conformance with all Federal regulations, state statutes, and other legal requirements—including any order or resolution of the Board and this investment policy.
- B. *Preservation and safety of principal.* Investments of the Corporation shall be handled in a manner that seeks to ensure the preservation of capital and the protection of investment principal in the overall portfolio. All participants in the investment process shall act responsibly as custodians of the public trust.
- C. *Liquidity.* The Corporation's investment portfolio will remain sufficiently liquid to enable the Corporation to meet operating requirements that might be reasonably anticipated. Liquidity

shall be achieved by maintaining appropriate cash equivalent balances, matching investment maturities with forecasted cash flow requirements, and investing in securities with active secondary markets.

- D. *Marketability.* The Corporation's policy is to buy and hold investments until maturity; however, marketability is of great importance should the need arise to liquidate an investment before maturity.
- E. *Diversification.* Investments shall be diversified, as appropriate, by type and maturity to eliminate the risk of loss resulting from the concentration of assets in a specific maturity, a specific issuer or a specific class of securities. While investments of the Corporation shall be selected to provide for stability of income and reasonable liquidity, the investments shall be structured to meet the projected cash flow needs of the Corporation first, and then to enhance interest income. The stated maturity of any investment in the Corporation's portfolio shall not exceed one year and the weighted average maturity of the Corporation's portfolio shall not exceed 180 days.
- F. *Yield.* The Corporation's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the Corporation's risk constraints and the cash flow characteristics of the portfolio. Given this strategy, the basis used to determine whether reasonable yields are being achieved shall be the rolling average yield of the three-month U.S. Treasury Bill or such other index that most closely matches the average maturity of the portfolio.

IV. AUTHORIZATION

The authority of the Corporation to manage the investment program is derived from Local Government Code, Chapter 2256, Public Funds Investment. Management responsibility for the investment program is hereby delegated to the Director of Finance of the City of Deer Park, including responsibility for all investment transactions and the related system of controls to regulate the activities of subordinate officials. The City's Director of Finance shall serve as the primary investment officer for the Corporation and shall invest Corporation funds in legally authorized and adequately secured investments in accordance with this policy and the Act. The City Manager and Assistant City Manager of the City of Deer Park shall also serve as investment officers of the Corporation. The investment officers shall be bonded.

V. RESPONSIBILITY AND CONTROL

Investments shall be made with judgment and care, under prevailing circumstances that a person of prudence, discretion, and intelligence would exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of capital and the income to be derived.

In determining whether investment decisions were made exercising prudence, consideration shall be given to the following: the investment of all funds, or funds under the Corporation's control, taken as a whole, rather than the prudence of a single investment; and whether the investment decision is consistent with the written investment policy of the Corporation at that time. Occasional measured losses are inevitable and must be considered within the context of the overall portfolio's return.

An investment officer acting as a "prudent person" exercising due diligence in accordance with written procedures and the investment policy shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse market effects.

The written procedures for the operations of the City's investment program shall also be consistent with this investment policy and shall apply to the investment of Corporation funds. No person may engage in an investment transaction except as provided under the terms of this policy or these established procedures.

VI. ETHICS AND CONFLICTS OF INTEREST

In addition to any other requirements of law, the investment officers shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. An investment officer who has a personal business relationship with a business organization offering to engage in an investment transaction with the Corporation or who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the Corporation shall file a statement with the Corporation's Board of Directors and with the Texas Ethics Commission disclosing that relationship.

An investment officer has a personal business relationship with a business organization if the investment officer owns 10 percent (10%) or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization, the investment officer receives funds from the business organization exceeding 10 percent (10%) of the investment officer's gross income for the previous year, or the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

VII. INVESTMENT TRAINING

The investment officers shall attend at least one training session relating to the investment officers' responsibilities under the Act within 12 months after taking office or assuming the duties of investment officer and accumulate not less than 10 hours of instruction relating to investment responsibilities under the Act. Further, an investment officer shall attend at least one investment training session not less than once in a two-year period (beginning on the first day of the Corporation's fiscal year and consisting of the two consecutive fiscal years after that date) and accumulate not less than 8 hours of instruction relating to investment responsibilities under the Act.

Designated training sponsored by any of the following organizations is approved:

- A. Government Finance Officers Association of Texas
- B. Government Treasurer's Organization of Texas
- C. Texas Municipal League
- D. The University of North Texas Center for Public Management

Training must include education in investment controls, security risks, strategy risks, market risks, diversification of the investment portfolio, and compliance with the Act.

VIII. AUTHORIZED INVESTMENTS

In accordance with Federal and state laws, including Section 2256.005(b) of the Act, the following are authorized investments:

- A. Obligations of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks;
- B. Direct obligations of the State of Texas or its agencies and instrumentalities;
- C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the FDIC or by the explicit full faith and credit of the United States;
- D. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
- E. A certificate of deposit, or other form of deposit, that is placed and secured in accordance with the Act;
- F. An investment pool to the extent and manner provided by law if the Corporation by rule, order or resolution authorizes investment in the particular pool and if the investment pool conforms to the requirements of the Act. To maintain eligibility, an investment pool must conform to the requirements of the Act. Further, the investment pool must be continuously rated no lower than AAA or AAA-m or its equivalent by at least one nationally recognized rating service and must post on their website the specific disclosures required by the Act.

Currently, the following investment pools are approved: TexPool, TexSTAR, and Texas CLASS.

IX. PROHIBITED INVESTMENTS

The following are not authorized investments and are prohibited under this investment policy:

- A. Obligations for which the payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal (interest only bond);
- B. Obligations for which the payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest (principal only bond);
- C. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years;
- D. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index (inverse floaters);
- E. A securities lending program of the nature permitted by Section 2256.0115 of the Act; and
- F. Commercial paper, including pools which invest in commercial paper.

X. EXISTING INVESTMENTS AND MINIMUM RATING REQUIREMENTS

Investments held on the effective date of this investment policy that are no longer authorized investments under the Act and/or this investment policy do not need to be liquidated before the final stated maturity of the investment. An investment that requires a minimum rating does not qualify as an authorized investment during the period the investment does not have the minimum rating. The investment officers shall take all prudent measures that are consistent with this investment policy to liquidate any investment that becomes a prohibited investment (e.g., through a rating downgrade after the purchase of the investment). In the event that the credit rating of any investment is publicly placed under review by the credit rating agency maintaining the rating, the primary investment officer shall closely monitor the investment and take such action as he/she deems prudent to protect the value of the investment.

XI. INVESTMENT ADVISORS

The City may from time to time employ qualified individuals or firms as an Investment Advisor to assist the investment officers in carrying out the investment program and complying with the requirements of this investment policy and the Act. Given the City's agreement with the Corporation whereby the City shall perform administrative services for the Corporation, including cash and investment management, the Corporation's funds may also be subject to review by this Investment Advisor. Discretionary control over the Corporation's investments shall remain with the investment officers.

XII. INVESTMENT LIMITS AND DIVERSIFICATION

The asset allocation in the portfolio should be flexible and responsive to the outlook for the economy and the securities markets. Risk management shall be addressed through portfolio diversification, as appropriate, by:

- A. Limiting investments to avoid over concentration by credit risk and maturity;
- B. Limiting investments in issuers that have higher credit risks;
- C. Investing in varying maturities; and
- D. Maintaining a minimum 10 percent (10%) of the total portfolio in cash equivalent instruments to meet ongoing obligations.

XIII. INVESTMENT MANAGEMENT

The investment officers shall exhibit prudence and discretion in the selection and management of investments in order that no individual or group of transactions undertaken shall jeopardize the total capital of the portfolio. The Corporation will not allow speculation (e.g., anticipating an appreciation of capital through changes in market interest rates) in the selection of any investments. The investment officers shall monitor financial market indicators, study financial trends, and utilize available educational tools in order to maintain appropriate managerial expertise.

The investment officers are authorized to solicit quotes for investments orally, in writing, electronically, or in any combination of these methods. Each investment transaction – exclusive of cash equivalent transactions – must be based upon quotations received from multiple qualified financial institutions or authorized broker/dealers. Competing broker/dealers may not have access to the same securities in the secondary market. Therefore, competitive offerings may be evaluated for similar investments and/or a target maturity period rather than for a specific investment or maturity date.

While the Corporation primarily utilizes a buy and hold strategy, active portfolio management may from time to time dictate the sale of securities to better position the overall portfolio. The City Manager or Assistant City Manager must approve the sale of any security prior to maturity or any sale of a security for less than the book value of the security.

XIV. QUALIFIED FINANCIAL INSTITUTIONS AND BROKER/DEALERS

Qualified financial institutions shall include financial institutions, broker/dealers, and other business organizations (e.g., investment pools and discretionary investment management firms) doing business in the State of Texas and licensed or otherwise registered and in good standing, as applicable, with the Texas Department of Securities, the Securities and Exchange Commission, the Financial Industry Regulatory Authority, Inc. ("FINRA"), or other applicable state or national regulatory organizations. If otherwise acceptable, the wholly owned subsidiary or affiliated companies of such regulated firms shall also be deemed qualified. Qualified financial institutions must have an office in Texas. Specifically, the Corporation's depository bank, and any wholly owned subsidiary or affiliated company, is a qualified and authorized financial institution.

The investment officers shall maintain a list of security broker/dealers authorized by this investment policy. All broker/dealers shall maintain complete records of all transactions conducted on behalf of the Corporation and shall make those records available for inspection at the Corporation's request. At least annually, the investment officers shall review the list of broker/dealers authorized to engage in investment transactions with the Corporation and shall make a recommendation as part of the Board's review of the investment policy. As part of this process, the investment officers shall review the quality of service of each broker/dealer. The investment officers may remove an authorized broker/dealer from the list if, in the opinion of the investment officers, the firm has not performed adequately or its financial condition has become unacceptable.

The following broker/dealers are authorized to engage in investment transactions with the Corporation:

- A. Duncan-Williams, Inc.
- B. FTN Financial
- C. Hilltop Securities
- D. Wells Fargo Securities, LLC

Nothing in this section relieves the Corporation of the responsibility for monitoring the investments made by the Corporation to determine that they are in compliance with this investment policy.

XV. REPORTING

The investment officers shall prepare and submit to each member of the Board an investment report describing in detail the investment position of the Corporation, signed by the investment officers, no less than on a quarterly basis. Currently, the Corporation's investment activity is included on the quarterly report prepared for the City. In accordance with the Act, the report contains sufficient information to provide for a comprehensive review of investment activity, current investments and performance for the period, including any variations from the investment strategy. The report also includes a description of each investment, the maturity date, the beginning and ending book and market values, the accrued interest, and the changes during the period as well as a summary by pooled fund group, as applicable. The annual audit shall include a review of the quarterly reports and a compliance audit of management controls on investments and adherence to the Corporation's established investment policy and procedures.

XVI. INTERNAL CONTROLS

The City maintains a system of internal controls designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and management. Controls deemed most important shall include: control of collusion, separation of duties, separation of transaction authority from accounting and recordkeeping, independent safekeeping and custodial duties, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses, written confirmation of telephone transactions, and limiting the number of authorized investment officials. These controls shall also be applicable to the Corporation and shall be reviewed by the City's independent audit firm as part of the annual audit.

XVII. DEPOSITORIES

The Corporation maintains a separate depository account in the name of the Corporation. Consistent with the requirements of the Texas Public Funds Collateral Act, Government Code Chapter 2257 as amended ("Public Funds Collateral Act"), the Corporation shall require all depository institution deposits to be federally insured or collateralized with eligible securities. The Corporation is served by the City's depository bank and is covered by the City's depository agreement and all other related documentation, which include these collateralization requirements. The current depository bank is Wells Fargo Bank, N.A.

XVIII. COLLATERAL

Eligible securities for collateralization of deposits are defined by the Public Funds Collateral Act. For pledged securities, the market value of the principal portion of collateral pledged for deposits must at all times be equal to or greater than 102 percent (102%) of the total amount of deposits plus any accrued interest, less the insurance amount provided by the Federal Deposit Insurance Corporation ("FDIC"). For certificates of deposit or other forms of deposit, the Corporation may accept a letter of credit issued by a U.S. Agency or Instrumentality. The value of the letter of credit must be equal to or greater than 100 percent (100%) of the total amount of deposits plus any accrued interest, less the insurance amount provided by the FDIC.

Depository institutions with which the Corporation maintains collateralized deposits shall require the custodian to provide a monthly report of the pledged securities. The investment officers shall monitor collateralization levels to verify market values and total collateral positions. If the value of the securities pledged falls below the required collateral level, the depository institution holding the deposit must pledge additional securities no later than the end of the next succeeding business day.

XIX. CUSTODY AND SAFEKEEPING

To protect against fraud, the deposits and investments of the Corporation shall be secured in accordance with third-party custody and safekeeping procedures approved by the City.

A written collateral or custodial agreement shall be approved by the City with each custodian bank, such custodian being a permitted institution under the Public Funds Collateral Act. The City's agreement with the custodian bank shall also be applicable to the Corporation. Upon receipt of pledged collateral, the custodian bank shall promptly issue and deliver to the Corporation a pledge receipt identifying and evidencing receipt of the collateral.

All security transactions shall be completed on a delivery versus payment ("DVP") basis with the City's safekeeping agent. Securities shall be held with the safekeeping agent until liquidation or maturity.

The investment officers shall maintain the original pledge and safekeeping receipts. The investment officers shall routinely monitor that all securities owned by or collateral pledged to the Corporation are held in an account(s) in the Corporation's name. These records shall also be subject to an annual compliance audit of management controls on investments and adherence to the Corporation's established investment policy and procedures.

XX. PROXY VOTING

The primary investment officer shall execute and deliver any proxies to be voted on behalf of the Corporation based upon his or her judgment, as a prudent investor, as to the outcome of the voting that would be most beneficial to the Corporation.

XXI. CERTIFICATION FORM

A written copy of the investment policy shall be provided to any business organization (local investment pool or discretionary investment management firm) offering to engage in investment activities with the Corporation. Every business organization must execute a certificate in favor of the Corporation substantially in a form acceptable to the Corporation and the business organization substantially to the effect that the business organization has:

- A. Received and reviewed the Corporation's investment policy; and
- B. Acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Corporation and the organization that are not authorized by the Corporation's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the Corporation's entire portfolio or requires an interpretation of subjective investment standards or relates to investment transactions of the Corporation that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The investment officers may not acquire or otherwise obtain any authorized investment from any business organization until a signed document meeting the above stated requirements (e.g., certification form) has been delivered to the Corporation.

XXII. ANNUAL REVIEW

The Board shall review the investment policy and investment strategies not less than annually and shall adopt a written instrument by order stating that it has reviewed the investment policy and investment strategies. The written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

**Deer Park Community Development Corporation
Annual Investment Policy Review – 2018
Record of Changes**

To comply with the Texas Public Funds Investment Act, Government Code Ch. 2256 as amended (the "Act"), the governing body of an investing entity shall (1) review its investment policy and investment strategies not less than annually, and (2) adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies. The written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

The investment policy for the Deer Park Community Development Corporation (the "Corporation") was last reviewed and updated in October 2017.

The Corporation, having entered into an agreement with the City of Deer Park (the "City") whereby the City shall perform administrative services for the Corporation, has elected to comply with the Act and has established a policy comparable to the investment policy of the City. The City has recently updated and adopted its investment policy in accordance with the Act making several minor changes, including further clarification of the 2017 legislative changes incorporated in the last update. These changes have been incorporated in the Corporation's investment policy and are summarized below:

VIII. Authorized Investments – In subsection (E) the security for a certificate of deposit or any other deposit is "in accordance with Section 2256.010 of the Act." The specific reference to Section 2256.010 has been deleted to convey the broader perspective of the Act as a whole.

XIV. Qualified Financial Institutions and Broker/Dealers – Last year, one of the authorized broker/dealers was part of a merger and had a name change, which was reflected in the list of broker/dealers authorized to engage in investment transactions with the City as "FTN Financial (formerly Coastal Securities, Inc.)." Since the former name of the firm is no longer germane, it has been deleted. The current list of authorized broker/dealers is as follows:

Duncan-Williams, Inc.
FTN Financial
Hilltop Securities
Wells Fargo Securities, LLC

XVII. Depositories – The abbreviated "Ch." was spelled out as "Chapter" in reference to Chapter 2257, which is the Public Funds Collateral Act.

XXI. Certification Form – With the 2017 changes to the Act, a certification form is only required from business organizations. This section still had a reference to any "person or business organization" but should only reference "business organization" so the phrase "person or" has been deleted.



Legislation Details (With Text)

File #: RPT 18-048 **Version:** 1 **Name:**

Type: Report **Status:** Agenda Ready

File created: 10/18/2018 **In control:** Deer Park Community Development Corporation

On agenda: 10/22/2018 **Final action:**

Title: Discussion of issues relating to the current status of DPCDC projects.

Sponsors:

Indexes:

Code sections:

Attachments: [Deer Park CDC Project Update 102218](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Discussion of issues relating to the current status of DPCDC projects.

Summary:

A brief report will be given at the meeting summarizing the current status of the DPCDC projects.

Fiscal/Budgetary Impact:

n/a

Receive the report.

Deer Park CDC Project Update

July 2018 – September 2018

Dow Park Pavilion Project - This project was identified as one of seven approved projects in the 2015 Type B dedicated sales tax election that was voted for by Deer Park residents. The City entered into a contract with Halff Associates as the architect and South Pool and Spa as the general contractor. The project is funded with \$1.5 million from Type B sales tax. The new restroom buildings were installed and progress continues on the pavilion structures. The City terminated the contract with the previous general contractor and awarded a contract for the completion of the project to Mills Construction. The project was completed in September of 2018.

- Staff is meeting with Millis and phone conferencing with Halff on weekly basis.
- Council approved changed order for the Dow Park Pavilion at September 4th City Council meeting.
- Acceptance of completion of and retainage release for DPCDC Dow Park Pavilion project.
- Ribbon cutting and dedication for the Dow Park Pavilion held on September 27th.

Maxwell Adult Center - This project was one of seven approved projects in the 2015 Type B dedicated sales tax election that was voted for by Deer Park residents. The project is funded with \$2 million from Type B sales tax. The City of Deer Park selected Halff Associates as the architect and Frost Construction as the general contractor for the project. Construction began in November of 2017. Demo of the interior and site preparation for the new addition has been completed. The project is about 85% complete with an expected completion date in fall 2018.

- Project is roughly 85% completed.
- DPCDC and City Council authorized the usage of unencumbered project funds to complete the structured cabling for the project.
- Meeting on bi-weekly basis to discuss progress of the project.

Girls Softball Complex - This project was identified as one of seven approved projects in the 2015 Type B dedicated sales tax election that was voted for by Deer Park residents. This project is funded by \$3 million from Type B sales tax. The City selected Tandem Services as the general contractor and Halff Associates as the architect for this project. Construction began in January 2018. The project is on schedule to be completed by the end of 2018.

- Project is roughly 80% complete.
- Meeting on Bi-weekly basis with Tandem Services, City staff, and Halff.
- Several contingency modifications have been executed for the project.
- Electrical has been completed.
- Flat work has been completed around the project site.
- Concession and restroom building is roughly 60% completed.
- Turf is scheduled to be installed by the beginning of November.
- Irrigation has been installed and inspected.

New Soccer Complex - This project is another one of the seven approved projects in the 2015 Type B dedicated sales tax election. The project is being funded with \$4 million from Type B sales tax. The City of Deer Park selected Halff Associates as the architect and Tandem Services as the general contractor. Construction began in January 2018. The project is on schedule and is expected to be completed in early 2019.

- Work continues on grading at the site.
- Electrical agreement has been reached with adjacent land owner which will result in a reduced electrical cost.
- Electrical service has been installed and established.
- Concession and restroom building is roughly 60% completed.
- Parking lot and driveway for facility has been completed.
- Several contingency modifications have been approved.

Community Center – This project is another one of the seven approved projects in the 2015 Type B dedicated sales tax election. The project is being funded with \$6 million from Type B sales tax. This project is currently under staff review and discussion.

- Presentation of structural and MEP items related to the Community Center was discussed with City Council, Parks and Recreation Commission, and Deer Park CDC board on July 23, 2018.
- Additional presentation related to the Community Center potential construction costs discussed with City Council, Parks and Recreation Commission, and Deer Park CDC board on September 24, 2018.

Hike and Bike Trails - This project is another one of the seven approved projects in the 2015 Type B dedicated sales tax election. The project is being funded with \$500,000 from Type B sales tax.

- Limited discussions with staff have taken place.
- No formal actions taken at this time.

Spencerview Athletic Complex - This project is another one of the seven approved projects in the 2015 Type B dedicated sales tax election. The project is being funded with \$3 million from Type B sales tax.

- This project was completed in August of 2017 and is currently in use.



Legislation Details (With Text)

File #: DIS 18-148 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 10/16/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Discussion of issues relating to additional expenses and funding from the Maxwell Adult Center unencumbered balance.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Discussion of issues relating to additional expenses and funding from the Maxwell Adult Center unencumbered balance.

The current renovations to the Maxwell Adult Center are underway and nearing completion. During the renovations, additional costs have occurred that have impacted the project's budget. Attached is documentation related to the following items:

- The purchase of security camera equipment for the Maxwell Center to include installation.

None

Discussion Only



Legislation Details (With Text)

File #: RPT 18-047 **Version:** 1 **Name:**
Type: Report **Status:** Agenda Ready
File created: 10/18/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Consideration of and possible action on the quarterly report for the period of July 1, 2018 - September 30, 2018.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments: [DPCDC Qtr Report - 9.30.18 \(cumulative\)](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and possible action on the quarterly report for the period of July 1, 2018 - September 30, 2018.

Summary:

Section 6.1 of the Corporation's bylaws states that the Board shall prepare a quarterly activity report, detailing the projects and work accomplished during the previous quarter. This report shall be reviewed by the Board by the end of the month following the end of each quarter and then submitted to City Council immediately thereafter.

The attached report for the period of July 1, 2018 - September 30, 2018 has been prepared for the Board's consideration and possible action. The report is cumulative for the 2017-2018 fiscal year with the most recent quarter shown first.

Fiscal/Budgetary Impact:

N/A

Approve the quarterly report for the period of July 1, 2018 - September 30, 2018 and authorize submission to the City Council.

Deer Park Community Development Corporation

Quarterly Report: July 1, 2018 – September 30, 2018

Meetings Conducted and Activities

July 2 – Community Center renovations discussion – City Staff

July 3 – Maxwell Construction meeting – Frost/BSW/ City Staff

July 5 – Meeting to discuss issues related to architectural services – City Staff

July 9 – Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

July 10 – Consideration of and action on the purchase of furniture for the Maxwell Adult Center – CC/City staff

July 11 – Meeting to discuss items related to the Community Center renovations – City Staff

July 16 - Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

July 18– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

July 18 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

July 23 - Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

July 23 – Joint workshop for the City Council, Deer Park Community Development Corp., Parks and Recreation Commission to discuss items related to Community Center and DPCDC quarterly report. – CC/DPCDC/PARC/City Staff/BSW

July 23 – Deer Park Community Development Corp. adopts FY 18-19 budget

July 30 - Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

August 1 – Dow Park Pavilion Walk-thru – City Staff/Millis/Halff

August 1– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

August 1 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

August 6 - Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

August 7 – Maxwell Construction meeting – Frost/BSW/ City Staff

August 9 – Meeting to discuss the Dow Park Pavilion ribbon cutting – City Staff

August 13 - Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

August 14 – Meeting to discuss items related to the Community Center – City Staff

August 15– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

August 15 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

August 17 – Meeting to discuss items related to the Dow Park Pavilions project – City Staff

August 20- Dow Park Pavilion construction meeting – City Staff/ Millis/ Halff

August 21 – Maxwell Construction meeting – Frost/BSW/ City Staff

August 21 - Meeting to discuss the Dow Park Pavilion ribbon cutting – City Staff

August 21 – Consent Agenda - Approval of minutes for the Joint Meeting that was held on July 23rd – CC/DPCDC/PARC

August 21 – New business -Consideration of and action on the ordinance approving the 2018-2019 fiscal year budget for DPCDC – CC/City staff

August 29– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

August 29 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

August 31 – Deer Park CDC construction project meeting – City Staff

September 4 - Maxwell Construction meeting – Frost/BSW/ City Staff

September 4 – Consider of and action on the purposed change order on the Dow Park Pavilion project – CC/City staff

September 4 – Acceptance of completion and retainage release for DPCDC Dow Park Pavilion project – CC/City Staff

September 12– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

September 12 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

September 12 – Dow Park Pavilions final walk through – City staff/Millis/Halff

September 13 – Conference Call to discuss items related to the Community Center – City Staff/BSW

September 18 – Dow Park Pavilions ribbon cutting (POSTPONED) – City staff

September 20 – Conference call to discuss items related to the Community Center – City Staff/BSW

September 24 – Meeting to discuss items related to the Community Center – City Staff/BSW

September 24 – Joint meeting of the City Council/Deer Park Community Development Corp. Parks and Recreation Commission to discuss items related to the Community Center Renovations – City Staff/BSW/CC/DPCDC/PARC

September 26– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

September 26 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

September 27 – Dow Park Pavilions ribbon cutting and dedication - City Staff/Halff/CC/DPCDC/PARC/Millis

Financial

Debt Issued To-Date

- \$9,450,000 Certificates of Obligation, Series 2016 issued February 16, 2016 through a private placement to Wells Fargo Bank via a competitive bidding process
- \$2,700,000 Certificates of Obligation, Series 2017 issued February 14, 2017 through a private placement to First National Bank Texas via a competitive bidding process
- In an agreement between the City of Deer Park and the DPCDC, the City agreed to issue and sell certificates and the DPCDC agreed to make payments to the City in amounts sufficient to pay the principal of and interest on the certificates

Deer Park Community Development Corporation (Fund 85)

This fund records the sales tax revenues, operating expenditures, including bond issuance costs, and debt service payments.

Revenues:

- Sales & Use Tax Revenues:
1Q (12/31/17) = \$301,831.50
2Q (03/31/18) = \$851,596.26
3Q (06/30/18) = \$856,383.23
4Q (09/30/18) = \$1,009,768.08
Total Fiscal YTD = \$3,019,579.07
- Investment Revenue:
1Q (12/31/17) = \$307.41
2Q (03/31/18) = \$304.26
3Q (06/30/18) = \$232.37
4Q (09/30/18) = \$653.84
Total Fiscal YTD = \$1,497.88

- **Total Fiscal YTD Revenues as of 09/30/18: \$3,021,076.95 (preliminary and unaudited)**

Expenditures:

- Audit Fee:
2Q (03/31/18) = \$2,000.00

Total Fiscal YTD = \$2,000.00
- Operating Transfer – Debt Service:
2Q (03/31/18) = \$1,954,492.75
4Q (09/30/18) = \$69,865.50

Total Fiscal YTD = \$2,024,358.25
- Pay-As-You-Go – Dow Park:
2Q (03/31/18) = \$315,465.92
3Q (06/30/18) = \$109,687.45
4Q (09/30/18) = \$36,210.29

Total Fiscal YTD = \$461,363.66
- **Total Fiscal YTD Expenditures as of 09/30/18: \$2,487,721.91 (preliminary and unaudited)**

Bond Fund – Certificates of Obligation (Fund 23)

This fund records the bond proceeds of the \$9,450,000 Certificates of Obligation, Series 2016 and the \$2,700,000 Certificates of Obligation, Series 2017 and all related capital project expenditures, including pay-as-you-go funding.

Revenues:

- Intergovernmental Revenue (Pay-As-You-Go Funding):
2Q (03/31/18) = \$315,465.92
3Q (06/30/18) = \$109,687.45
4Q (09/30/18) = \$36,210.29

Total Fiscal YTD = \$461,363.66
- Investment Revenue:
1Q (12/31/17) = \$23,765.36
2Q (03/31/18) = \$29,399.71
3Q (06/30/18) = \$33,879.18
4Q (09/30/18) = \$22,543.14

Total Fiscal YTD = \$109,587.39

- ***Total Fiscal YTD Revenues as of 09/30/18: \$570,951.05 (preliminary and unaudited)***

Expenditures:

- Small Tools & Minor Equipment

3Q (06/30/18) = \$9,496.00

4Q (09/30/18) = \$79,192.00

Total Fiscal YTD = \$88,688.00

- Buildings:

1Q (12/31/17) = \$239,592.23

- Dow Park = \$153,289.60
- Maxwell Center = \$86,302.63

2Q (03/31/18) = \$503,054.47

- Maxwell Center = \$357,652.24
- Girls Softball = \$90,894.23
- Soccer Fields = \$54,508.00

3Q (06/30/18) = \$2,555,722.98

- Dow Park = \$115,903.25
- Maxwell Center = \$513,042.13
- Girls Softball = \$1,067,087.32
- Soccer Fields = \$859,690.28

4Q (09/30/18) = \$2,555,163.52

- Maxwell Center = \$285,191.95
- Girls Softball = \$825,804.63
- Soccer Fields = \$1,444,166.94

Total Fiscal YTD = \$5,853,533.20

- Improvements Other Than Buildings:

2Q (03/31/18) = \$148,316.55

- Girls Softball = \$100,316.55
- Soccer Fields = \$48,000.00

3Q (06/30/18) = \$525,860.84

- Dow Park = \$31,779.84

- Girls Softball = \$492,581.00
- Soccer Fields = \$1,500.00

4Q (09/30/18) = \$765,449.36

- Dow Park = \$290,116.36
- Girls Softball = \$37,624.00
- Soccer Fields = \$437,709.00

Total Fiscal YTD = \$1,439,626.75

- Consulting Architect Fee

1Q (12/31/17) = \$36,091.74

- Maxwell Center = \$5,057.78
- Girls Softball = \$14,827.59
- Soccer Fields = \$16,206.37

2Q (03/31/18) = \$15,423.22

- Maxwell Center = \$11,504.63
- Girls Softball = \$3,918.59

3Q (06/30/18) = \$62,796.50

- Dow Park = \$2,729.25
- Maxwell Center = \$18,431.60
- Girls Softball = \$27,918.19
- DP Baseball = \$3,500.00
- Soccer Fields = \$10,217.46

4Q (09/30/18) = \$56,368.95

- Dow Park = \$1,195.50
- Maxwell Center = \$11,511.04
- Girls Softball = \$22,024.19
- DP Baseball = \$1,556.00
- Soccer Fields = \$16,246.44
- Community Center = \$3,835.78

Total Fiscal YTD = \$170,680.41

- ***Total Fiscal YTD Expenditures as of 09/30/18: \$7,552,528.36 (preliminary and unaudited)***

Quarterly Report: April 1, 2018 – June 30, 2018

Meetings Conducted and Activities

April 2 – Dow Park Pavilion construction meeting – South Pools/Halff/ City Staff

April 2 – Conference Call with City Attorney on South Pools discussion – City Staff

April 3 – Maxwell Roof discussion – City Staff/ Frost/ BSW

April 2 – City Council Meeting Executive Session discussion – Dow Park Pavilion and South Pools

April 4 – Soccer construction discussion – Tandem Services/ City Staff

April 5 – Halff Associates discussion – City Staff

April 9 - Dow Park Pavilion construction meeting – South Pools/Halff/ City Staff

April 11 – Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

April 11 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

April 16 - Dow Park Pavilion construction meeting – South Pools/Halff/ City Staff

April 17 - City Council Meeting Executive Session discussion – Dow Park Pavilion and South Pools

April 18 – Discussion with Halff on CDC projects – City Staff/Halff

April 18 – Dow Park Pavilion cost issue – City Staff

April 19 – Maxwell extended days discussion – Frost/ City Staff/ BSW

April 23 - Dow Park Pavilion construction meeting – South Pools/Halff/ City Staff

April 23 – DPCDC budget discussion for FY 18-19 – City Staff

April 23 - DPCDC meeting – City Staff presented

April 25 – Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

April 25 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

May 1 - City Council Meeting Executive Session discussion – Dow Park Pavilion and South Pools

May 1 – Acceptance of DPCDC quarterly report for January through March 2018.

May 1 – Amendment for additional from Halff Associates for Task Order. 16-004-D related to Maxwell.

May 3 – Softball electrical issue meeting – City Staff/ Tandem Services/Halff

May 9 – Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

May 9 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

May 15 - City Council Meeting Executive Session discussion – Dow Park Pavilion and South Pools

May 15 – New Business – City Council terminates contract with South Pools, Inc. for the Dow Park Pavilion project.

May 21 – Soccer Complex electrical discussion with adjacent land owner – City Staff/land owner

May 23– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

May 23 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

May 24 – Discussion with potential vendor Dow Park Pavilion – City Staff

June 4 – Dow Park Pavilion discussion – City Staff

June 5 – Maxwell Adult Center construction meeting – City Staff/Frost/Halff/BSW

June 5 – Consideration of and possible action on to approve a contract for the completion of the Dow Park Pavilion Project with Millis Development.

June 5 – Consideration and action on the purchase of bleachers for the Girls Softball project.

June 6– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

June 6 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

June 13 – Spencerview bridge discussion – City Staff

June 14 – Discussion with Halff about the Dow Park Pavilion Project – City Staff/Halff

June 18 – Meeting with City Staff to discuss items related to architect issues and the Dow Park Pavilion Project. – City Staff

June 19 – Maxwell Adult Center construction meeting – City Staff/Frost/Halff/BSW

June 20– Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

June 20 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

June 21 – Meeting with Schmitz to discuss Community Center observations report – City Staff/Schmitz

June 25 – Dow Park Pavilions Pre-Construction Meeting – City Staff/Millis Development

June 27 - Internal City Staff meeting to discuss Community Center Type B Project

June 27 – Discussion related to Maxwell extended days – City Staff/ Frost/ BSW

Financial

Debt Issued To-Date

- \$9,450,000 Certificates of Obligation, Series 2016 issued February 16, 2016 through a private placement to Wells Fargo Bank via a competitive bidding process
- \$2,700,000 Certificates of Obligation, Series 2017 issued February 14, 2017 through a private placement to First National Bank Texas via a competitive bidding process
- In an agreement between the City of Deer Park and the DPCDC, the City agreed to issue and sell certificates and the DPCDC agreed to make payments to the City in amounts sufficient to pay the principal of and interest on the certificates

Deer Park Community Development Corporation (Fund 85)

This fund records the sales tax revenues, operating expenditures, including bond issuance costs, and debt service payments.

Revenues:

- Sales & Use Tax Revenues:
1Q (12/31/17) = \$301,831.50
2Q (03/31/18) = \$851,596.26
3Q (06/30/18) = \$856,383.23
Total Fiscal YTD = \$2,009,810.99
- Investment Revenue:
1Q (12/31/17) = \$307.41
2Q (03/31/18) = \$304.26
3Q (06/30/18) = \$232.37
Total Fiscal YTD = \$844.04
- ***Total Fiscal YTD Revenues as of 06/30/18: \$2,010,655.03 (preliminary and unaudited)***

Expenditures:

- Audit Fee:
2Q (03/31/18) = \$2,000.00
Total Fiscal YTD = \$2,000.00
- Operating Transfer – Debt Service:
2Q (03/31/18) = \$1,954,492.75
Total Fiscal YTD = \$1,954,492.75

- Pay-As-You-Go – Dow Park:

2Q (03/31/18) = \$315,465.92

3Q (06/30/18) = \$109,687.45

Total Fiscal YTD = \$425,153.37

- ***Total Fiscal YTD Expenditures as of 06/30/18: \$2,381,646.12 (preliminary and unaudited)***

Bond Fund – Certificates of Obligation (Fund 23)

This fund records the bond proceeds of the \$9,450,000 Certificates of Obligation, Series 2016 and the \$2,700,000 Certificates of Obligation, Series 2017 and all related capital project expenditures, including pay-as-you-go funding.

Revenues:

- Intergovernmental Revenue (*Pay-As-You-Go Funding*):

2Q (03/31/18) = \$315,465.92

3Q (06/30/18) = \$109,687.45

Total Fiscal YTD = \$425,153.37

- Investment Revenue:

1Q (12/31/17) = \$23,765.36

2Q (03/31/18) = \$29,399.71

3Q (06/30/18) = \$33,879.18

Total Fiscal YTD = \$87,044.25

- ***Total Fiscal YTD Revenues as of 06/30/18: \$512,197.62 (preliminary and unaudited)***

Expenditures:

- Small Tools & Minor Equipment

3Q (06/30/18) = \$9,496.00

Total Fiscal YTD = \$9,496.00

- Buildings:

1Q (12/31/17) = \$239,592.23

○ Dow Park = \$153,289.60

○ Maxwell Center = \$86,302.63

2Q (03/31/18) = \$503,054.47

○ Maxwell Center = \$357,652.24

- Girls Softball = \$90,894.23
- Soccer Fields = \$54,508.00

3Q (06/30/18) = \$2,555,722.98

- Dow Park = \$115,903.25
- Maxwell Center = \$513,042.13
- Girls Softball = \$1,067,087.32
- Soccer Fields = \$859,690.28

Total Fiscal YTD = \$3,298,369.68

- Improvements Other Than Buildings:

2Q (03/31/18) = \$148,316.55

- Girls Softball = \$100,316.55
- Soccer Fields = \$48,000.00

3Q (06/30/18) = \$525,860.84

- Dow Park = \$31,779.84
- Girls Softball = \$492,581.00
- Soccer Fields = \$1,500.00

Total Fiscal YTD = \$674,177.39

- Consulting Architect Fee

1Q (12/31/17) = \$36,091.74

- Maxwell Center = \$5,057.78
- Girls Softball = \$14,827.59
- Soccer Fields = \$16,206.37

2Q (03/31/18) = \$15,423.22

- Maxwell Center = \$11,504.63
- Girls Softball = \$3,918.59

3Q (06/30/18) = \$62,796.50

- Dow Park = \$2,729.25
- Maxwell Center = \$18,431.60
- Girls Softball = \$27,918.19
- DP Baseball = \$3,500.00
- Soccer Fields = \$10,217.46

Total Fiscal YTD = \$114,311.46

- ***Total Fiscal YTD Expenditures as of 06/30/18: \$4,096,354.53 (preliminary and unaudited)***

Deer Park Community Development Corporation
Quarterly Report: January 1, 2018 – March 31, 2018

Meetings Conducted and Activities

January 2 – City staff discussion on the Dow Park Pavilion project.

January 2 – City Council Workshop – Executive Session – Discussion of potential litigation

January 2 – Regular City Council meeting – Consideration of and action of the purchase of field lighting and installation from Musco sports lighting via the Buyboard for Soccer and Girls Softball Type - B projects.

January 2 – Regular City Council meeting – Consideration of and action of the purchase of shade structures and installation from USA shade and fabric structures via the Buyboard for Soccer and Girls Softball Type - B projects.

January 2 – Regular City Council meeting – Consideration of and action on change orders 2 & 3 to the contract with South Pools for the Dow Park Pavilion project.

January 2 – Regular City Council meeting – Consideration of and action authorization to purchase from Playworks and the Playwell Group via the Buyboard for the materials and installation of items to complete the Dow Park Pavilion and improvement projects.

January 5 – Discussion of change order language for the Dow Park Pavilion project – City Staff.

January 22 – Maxwell Change Order update meeting – City Staff.

January 22 – Deer Park Community Development Corporation board meeting.

January 24 – Conference call for items related to the Dow Park Pavilion Project – City Staff/City Attorney

February 5 – Deer Park Community Development Corporation board meeting

February 6 – Dow Park Pavilion Project preparation meeting – City Staff

February 6 – City Council Workshop - Executive Session – Discussion of potential litigation

February 6 – City Council Workshop – Discussion of issues related to Maxwell Adult Center change orders and contingency modifications.

February 6 – City Council Meeting – Acceptance of the Deer Park Community Development Corporation's quarterly report for the period of October 1, 2017 – December 31, 2017.

February 6 – City Council Meeting – Consideration of and action on of the change orders of the Maxwell Adult Center.

February 6 – City Council Meeting – Consideration of and action on accepting the amendment for additional professional services from Halff associates utilizing the sub-contractor Brinkley, Sargent, Wiggington Architects.

February 6 – City Council Meeting – Consideration of and action on of the purchase of bleachers from GT Grandstands via Buyboard for Girls Softball Renovations Type – B project.

February 7 – Maxwell Construction Project update – City Staff/Frost/Halff/BSW

February 8 – Spencerview bridge discussion – City Staff

February 8 – Dow Park Pavilion Project coordination meeting – City Staff/South Pools/Playwell/Halff

February 14 – Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

February 14 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

February 15 – Discussion of issues related to Type B projects, Halff - City Staff

February 19 – Discussion of issues related to Deer Park Soccer Complex – City Staff

February 22 – Meeting to discuss fire alarm items related to the Maxwell Adult Center renovations – City Staff

February 22 – Discussion of Soccer Construction Project – Electrical Discussion with Mayor

March 5 – Discussed DPCDC projects with Parks and Recreation Commission.

March 12 – ICON shelters inspection of the Dow Park Pavilions – Icon/City Staff

March 13 – Discussion of task orders related to the Maxwell Adult Center – City Staff/Halff

March 14 – Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

March 14 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

March 19 – Dow Park Pavilion Meeting – City Staff/Halff/South Pool

March 20 – Maxwell Adult Center commissioning meeting – City Staff/Frost/Halff/BSW/Stanton Engineering

March 20 – Maxwell Adult Center construction meeting – City Staff/Frost/Halff/BSW

March 20 - City Council Workshop - Executive Session – Discussion of potential litigation

March 21 – Discussion of Electrical at Soccer Complex with Randy Stockwell – City Staff

March 26 – Dow Park Pavilion Meeting – City Staff/South Pool/Halff

March 28 – Deer Park Soccer Complex construction meeting – City Staff/Tandem Services/Halff

March 28 – Deer Park Girls Softball construction meeting – City Staff/Tandem Services/Halff

Financial

Debt Issued To-Date

- \$9,450,000 Certificates of Obligation, Series 2016 issued February 16, 2016 through a private placement to Wells Fargo Bank via a competitive bidding process
- \$2,700,000 Certificates of Obligation, Series 2017 issued February 14, 2017 through a private placement to First National Bank Texas via a competitive bidding process
- In an agreement between the City of Deer Park and the DPCDC, the City agreed to issue and sell certificates and the DPCDC agreed to make payments to the City in amounts sufficient to pay the principal of and interest on the certificates

Deer Park Community Development Corporation (Fund 85)

This fund records the sales tax revenues, operating expenditures, including bond issuance costs, and debt service payments.

Revenues:

- Sales & Use Tax Revenues:
1Q (12/31/17) = \$301,831.50
2Q (03/31/18) = \$851,596.26
Total Fiscal YTD = \$1,153,427.76
- Investment Revenue:
1Q (12/31/17) = \$307.41
2Q (03/31/18) = \$304.26
Total Fiscal YTD = \$611.67
- ***Total Fiscal YTD Revenues as of 03/31/18: \$1,154,039.43 (preliminary and unaudited)***

Expenditures:

- Audit Fee:

2Q (03/31/18) = \$2,000.00

Total Fiscal YTD = \$2,000.00

- Pay-As-You-Go – Dow Park:

1Q (12/31/17) = \$0.00

2Q (03/31/18) = \$315,465.92

Total Fiscal YTD = \$315,465.92

- ***Total Fiscal YTD Expenditures as of 03/31/18: \$317,465.92 (preliminary and unaudited)***

Bond Fund – Certificates of Obligation (Fund 23)

This fund records the bond proceeds of the \$9,450,000 Certificates of Obligation, Series 2016 and the \$2,700,000 Certificates of Obligation, Series 2017 and all related capital project expenditures, including pay-as-you-go funding.

Revenues:

- Intergovernmental Revenue (*Pay-As-You-Go Funding*):

1Q (12/31/17) = \$0.00

2Q (03/31/18) = \$315,465.92

Total Fiscal YTD = \$315,465.92

- Investment Revenue:

1Q (12/31/17) = \$23,765.36

2Q (03/31/18) = \$29,399.71

Total Fiscal YTD = \$53,165.07

- ***Total Fiscal YTD Revenues as of 03/31/18: \$368,630.99 (preliminary and unaudited)***

Expenditures:

- Buildings:

1Q (12/31/17) = \$239,592.23

○ Dow Park = \$153,289.60

○ Maxwell Center = \$86,302.63

2Q (03/31/18) = \$503,054.47

○ Maxwell Center = \$357,652.24

○ Girls Softball = \$90,894.23

- Soccer Fields = \$54,508.00

Total Fiscal YTD = \$742,646.70

- Improvements Other Than Buildings:

1Q (12/31/17) = \$0.00

2Q (03/31/18) = \$148,316.55

- Girls Softball = \$100,316.55
- Soccer Fields = \$48,000.00

Total Fiscal YTD = \$148,316.55

- Consulting Architect Fee

1Q (12/31/17) = \$36,091.74

- Maxwell Center = \$5,057.78
- Girls Softball = \$14,827.59
- Soccer Fields = \$16,206.37

2Q (03/31/18) = \$15,423.22

- Maxwell Center = \$11,504.63
- Girls Softball = \$3,918.59

Total Fiscal YTD = \$51,514.96

- ***Total Fiscal YTD Expenditures as of 03/31/18: \$942,478.21 (preliminary and unaudited)***

Deer Park Community Development Corporation

Quarterly Report: October 1, 2017 – December 31, 2017

Meetings Conducted and Activities

October 2	Staff meeting to discuss Pavilion electrical issue P&R/PW/City Administration
October 3	City Council appointed 4 members of the Deer Park Community Development Cooperation
October 18	Staff meeting to discuss Pavilion electrical issue P&R/PW/ City Administration
October 23	DPCDC quarterly board meeting at City Hall
October 23	Discussion of the Deer Park CDC projects; Discussion of Soccer Complex bids; Recommendation to award bid for Girls Softball renovation project; Consider scheduling a special meeting to recommend award of bid for construction of Soccer Complex.
October 25	Staff discussion with City Attorney to discuss architect issues P&R/PW/ City Administration/City Attorney
November 6	Special DPCDC board meeting of consideration and action upon recommending award of bid for construction of Soccer Complex to Tandem Services.
November 7	City Council accepted DPCDC Quarterly Report for July 1, 2017 – September 30, 2017
November 7	City Council approved ordinance to amend the FY17-18 Capital improvement fund budget for cost related to the construction of the Girls Softball Complex renovation and new Soccer Complex
November 15	Maxwell Center Pre-construction meeting P&R/PW/ City Administration/Halff/Frost Construction/Brinkley Sargent Wigington
December 5	Meeting with outside legal services to discuss Pavilion issues P&R/PW/ City Administration/City Attorney
December 5	Special DPCDC board of directors meeting concerning Pavilion electrical
December 5	Council executive session discussions related to potential litigation.
December 5	City Council tabled actions related to the Dow Park Pavilion project
December 7	Pre-construction meeting Soccer project P&R/PW/ City Administration/Halff/Tandem Services
December 7	Pre-construction meeting Softball project P&R/PW/ City Administration/Halff/Tandem Services
December 11	Maxwell construction meeting P&R/PW/ City Administration/Halff/BSW/Frost

December 14 Discuss Dow Park Pavilion change order P&R/PW/ City Administration

December 22 Discuss Dow Park Pavilion change order P&R/PW/ City Administration

December 22 Sent revisions to Halff for Dow Park Pavilion change order

December 28 Issued public notice article informing public of Girls Softball demolition

Financial

Debt Issued To-Date

- \$9,450,000 Certificates of Obligation, Series 2016 issued February 16, 2016 through a private placement to Wells Fargo Bank via a competitive bidding process
- \$2,700,000 Certificates of Obligation, Series 2017 issued February 14, 2017 through a private placement to First National Bank Texas via a competitive bidding process
- In an agreement between the City of Deer Park and the DPCDC, the City agreed to issue and sell certificates and the DPCDC agreed to make payments to the City in amounts sufficient to pay the principal of and interest on the certificates

Deer Park Community Development Corporation (Fund 85)

This fund records the sales tax revenues, operating expenditures, including bond issuance costs, and debt service payments.

Revenues:

- Sales & Use Tax Revenues:
1Q (12/31/17) = \$301,831.50
Total Fiscal YTD = \$301,831.50
- Investment Revenue:
1Q (12/31/17) = \$307.41
Total Fiscal YTD = \$307.41
- ***Total Fiscal YTD Revenues as of 12/31/17: \$302,138.91 (preliminary and unaudited)***

Expenditures:

- Pay-As-You-Go – Dow Park:
1Q (12/31/17) = \$0.00
Total Fiscal YTD = \$0.00

- **Total Fiscal YTD Expenditures as of 12/31/17: \$0.00 (preliminary and unaudited)**

Bond Fund – Certificates of Obligation (Fund 23)

This fund records the bond proceeds of the \$9,450,000 Certificates of Obligation, Series 2016 and the \$2,700,000 Certificates of Obligation, Series 2017 and all related capital project expenditures, including pay-as-you-go funding.

Revenues:

- Intergovernmental Revenue (*Pay-As-You-Go Funding*):
1Q (12/31/17) = \$0.00
Total Fiscal YTD = \$0.00
- Investment Revenue:
1Q (12/31/17) = \$23,765.36
Total Fiscal YTD = \$23,765.36
- **Total Fiscal YTD Revenues as of 12/31/17: \$23,765.36 (preliminary and unaudited)**

Expenditures:

- Buildings:
1Q (12/31/17) = \$239,592.23
 - Dow Park = \$153,289.60
 - Maxwell Center = \$86,302.63*Total Fiscal YTD = \$239,592.23*
- Consulting Architect Fee
1Q (12/31/17) = \$36,091.74
 - Maxwell Center = \$5,057.78
 - Girls Softball = \$14,827.59
 - Soccer Fields = \$16,206.37*Total Fiscal YTD = \$36,091.74*
- **Total Fiscal YTD Expenditures as of 12/31/17: \$275,683.97 (preliminary and unaudited)**



Legislation Details (With Text)

File #: AUT 18-090 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/16/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Consideration of and action on authorization and recommendation to City Council for an amendment to utilize the existing unencumbered funds from the Maxwell Adult Center project for the purchase and installation of security camera equipment from Lensec structured cabling to City Council.

Sponsors:

Indexes:

Code sections:

Attachments: [Deer Park - Maxwell Center Renovation Cameras_V3](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on authorization and recommendation to City Council for an amendment to utilize the existing unencumbered funds from the Maxwell Adult Center project for the purchase and installation of security camera equipment from Lensec structured cabling to City Council.

Funds will be utilized to cover project costs associated with the purchase of security camera equipment for the Maxwell Center to include installation.

May 9, 2015 the citizens in Deer Park passed a special election Type B Economic Development Sales and Use Tax for the appropriation of \$2,000,000 for the renovations of the Maxwell Adult Center.

\$2,000,000.00 Appropriated funds for the Maxwell Adult Center Project

Approved by DPCDC & Council

\$1,562,000.00 Lowest Responsible Bidder - Frost Construction

\$283,300.00 Professional Services - Halff Associates

\$1,845,300.00 Total

Requesting from DPCDC Unencumbered Funds

\$144,385.00 Unencumbered Funds for Maxwell Adult Center

\$7,000.00	Additional Professional Services - Halff Associates
\$48,684.97	Demo Services, Waterproofing, Applied Services
\$19,265.95	Installation of new foundation piers and replace floor slab
\$17,680.37	Structured Cabling for Maxwell Adult Center
<u>\$13,331.58</u>	<u>Security Cameras purchase and install - Lensec</u>
\$38,422.13	Total - Remaining in Unencumbered Funds

Recommend the amendment to authorize the utilization of the existing unencumbered funds from the Maxwell Adult Center project for the purchase and installation of security camera equipment from Lensec to City Council in the amount of \$13,331.58.



Company Address 3151 Briarpark Dr,
Suite 125
Houston, TX 77042
US

Quote Name Deer Park - Maxwell Center Renovation
Cameras

Quote Number 00002404
Expiration Date 11/30/2018

Prepared By Almen Didelija
Email adidilija@lensec.com

Account Name City of Deer Park - Maxwell Center

Bill To 1201 Center St.
Deer Park, TX 77536

Part No.	Product	Sales Price	Quantity	Total Price
CAM-AXP3225-LV-Mk-II	AXIS P3225-LV MKII	\$501.99	7.00	\$3,513.93
SW-SG300-28PP	Cisco SG300-28PP-K9-NA	\$529.00	1.00	\$529.00
LS-HD-3TB-SATA-ADD	3TB 7.2K SATA 3.5" 3Gbps HotPlug Hard Drive	\$260.10	1.00	\$260.10
LS-CBL-CAT6 PLN	Cable - CAT 6 Plenum - 1000ft	\$307.79	2.50	\$769.48
LS-PV-VMS-ENT-PP000	Perspective VMS - (Enterprise Edition) Camera License - PP0000	\$202.01	7.00	\$1,414.07
LS-IP-CAM-CONFIG	LENSEC Camera Configuration	\$149.12	7.00	\$1,043.84
Indoor/Outdoor Camera Installation (cable installation, no cable)	LENSEC - Installation Indoor/Outdoor Camera	\$414.43	12.00	\$4,973.16
Project Management Time (Regular)	LENSEC Project Management (Regular)	\$138.00	6.00	\$828.00

Subtotal \$13,331.58
Discount 0.00%
Total Price \$13,331.58
Grand Total \$13,331.58

Product Details

Product	Product Description
AXIS P3225-LV MKII	Day/night fixed dome with support for WDR – Forensic Capture, Lightfinder and OptimizedIR with built-in IR illumination. Discreet, dust and IK08 vandal-resistant indoor casing. Varifocal 3-10.5 mm P-Iris lens, remote focus and zoom.
Cisco SG300-28PP-K9-NA	Cisco SG300-28PP Layer 3 Switch Desktop 28 Ports - Managed - 10/100/1000Base-T - Twisted Pair - Gigabit Ethernet - Shared SFP Slot - POE+ Lifetime Limited Warranty. Hardware supply only.
3TB 7.2K SATA 3.5" 3Gbps HotPlug Hard Drive	3TB 7.2K RPM SATA 3Gbps 3.5in HotPlug Hard Drive
Cable - CAT 6 Plenum - 1000ft	CAT 6 Cable Plenum 1000 ft roll



Company Address 3151 Briarpark Dr,
Suite 125
Houston, TX 77042
US

Perspective VMS - (Enterprise Edition) Camera License - PP0000	LENSEC Perspective Video Management Software with user friendly interface for viewing live and recorded video. Licensing fee per camera. (Project Pricing)
LENSEC Camera Configuration	IP Camera Configuration and Integration process including camera Setup in the lab, Custom camera functionality adjustment, Integration with LENSEC Software, System optimization, Camera information tracking, Testing and Quality Assurance.
LENSEC - Installation Indoor/Outdoor Camera	Outdoor/Indoor Network camera placement, aiming, focusing and installation of camera with housing. Installation rate per camera
LENSEC Project Management (Regular)	Project Management Services (Regular Work Hours 8:00 A.M. - 5:00 P.M. Local Time)

Line Item Description
Product
AXIS P3225-LV MKII
Cisco SG300-28PP-K9-NA
3TB 7.2K SATA 3.5" 3Gbps HotPlug Hard Drive
Cable - CAT 6 Plenum - 1000ft
Perspective VMS - (Enterprise Edition) Camera License - PP0000
LENSEC Camera Configuration
LENSEC - Installation Indoor/Outdoor Camera
LENSEC Project Management (Regular)

LENSEC Terms and Conditions

The pricing above is valid for equipment recommended by LENSEC LLC.

The pricing is valid for 60 days from the proposal date. The price is subject to change and adequate notice will be provided. Any volume or special discount offered will be project specific.

Prices do not include sales, use, or excise taxes, customs duty, bonding fee, licensing and/or other applicable registration fees.

Exclusions: Equipment not covered in the proposal scope, troubleshooting and repair of any defects in the existing system, trenching, boring, renting of bucket trucks, high voltage wiring, and any complexity related to the installation that has not been specifically discussed and quoted. Scope excluded in the proposal can be serviced by LENSEC under a separate change order.

Remote Service Support can be provided only if LENSEC has "remote access" to customer's network.

Onsite service and maintenance of server, cameras, access control equipment and security system are excluded from LENSEC's scope.

Refer to LENSEC Service Support Program for more details.

Changes to the scope may result in additional travel and stay charges for LENSEC project manager, and/or engineer.

Change to the hardware model or specifications may result in change to the pricing

Hardware is covered by one-year limited warranty from the manufacturer. Hardware warranty will begin from the date



Company Address 3151 Briarpark Dr,
Suite 125
Houston, TX 77042
US

equipment is received on-site. The supply of equipment is subject to availability.

Installation quote will be revalidated after doing the site audit and after the receipt of customer approval. Installation pricing is subjected to change based on the complexity of layout and any scope related changes.

Estimated lead time for design, supply of the equipment, installation, system configuration and testing will be 6-8 weeks from the date LENSEC receives signed contract with purchase order and all customer provided deliverables. The customer provided deliverables will include electronic copy of the building map, finalized and approved system layout with device locations, network information, and readiness of site for the installation of security system.

Delivery location is assumed to be at above addressee(s) unless otherwise indicated. Equipment receipt and storage facility will be provided by the customer.

Invoices are due within 30 days of receipt.

Terms of Payment:

- 50% of contract value will be invoiced upon the receipt of Purchase Order by LENSEC
- 35% of contract value will be invoiced upon the receipt of major equipment on-site
- 15% of contract value will be invoiced upon customer approval

Terms and Conditions as outlined in LENSEC Sales, Installation and Service agreements are applicable. It is recommended that these terms are reviewed before the award of contract.



Legislation Details (With Text)

File #: AUT 18-094 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/18/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Consideration of and action on recommending to City Council to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming.

Sponsors:

Indexes:

Code sections:

Attachments: [Deer Park Task Order 005-final](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on recommending to City Council to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming.

Summary:

In 2016, after receipt and review of Statements of Qualifications from several firms, the DPCDC recommended, and the City Council approved a Prime (or master) agreement with Halff Associates and separate task orders for the seven (7) Type B funded projects. Each task order defines the scope and budget for that specific project.

A summary of all task orders related to the Prime Agreement with Halff Associates for professional services is as follows:

Project	Task Order #	Basic Services + Reimbursables
Dow Park Pavilion	16-002-A	\$120,750
Community Center & Gym	16-005-A	\$27,200
Maxwell Center	16-004-A	\$16,200
Spencerview	16-001-A	\$257,700
Youth Sports (Girls Softball)	16-006-A	\$287,033
Soccer Fields	16-003-B	\$306,032
Hike & Bike Trails	16-007	\$47,500
Total		\$1,062,415

Task Order No. 16-005-A was for the Community Center and Gymnasium - Phase I Programming in the amount of \$26,000 for Basic Services and \$1,200 for reimbursable expenses, totaling \$27,200 (see attached). The services were described as: Architect's programming services consisting of public input meetings, physical assessment of existing Community Center and Gymnasium building, definition of programming needs for these facilities, creation of conceptual floor plan options for each location, creation of a final concept floor plan and project budget for each location. Some of these services have been performed and paid for, such as the physical assessment of the facilities, and an

initial programming exercise conducted with departmental staff.

In July and September of 2018, the City Council, DPCDC and PARC conducted two (2) joint meetings at which the bodies reviewed and discussed the above-mentioned physical assessment (i.e. Building Observations Survey) with the architectural subconsultant, Mr. Stephen Springs, Senior Principal of Brinkley Sargent Wigington Architects. Mr. Springs discussed some of the key considerations contained in the aforementioned Building Observations Survey, including:

- The scope and scale of existing Community Center building challenges is significant
- The cost and consequences of disruption of services inherent to renovation should also be considered
- Deer Park should consider replacement versus repair of the Community Center

Based on the above-mentioned concerns about renovations/repairs to the Community Center, the consensus of the discussion at the September 24, 2018 joint meeting was that options for a new facility should be explored rather than continuing to pursue renovation/repairs of the existing Community Center facility. Since, Task Order No. 16-005-A was for programming of the existing Community Center facility it is recommended that this task Order be terminated. Section 9.4 of the Prime Agreement with Halff Associates states: "The Owner may terminate this agreement or an individual task order upon not less than seven (7) days' written notice to the Architect for the Owner's convenience and without cause."

Fiscal/Budgetary Impact:

Recommend to City Council to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming.

TASK ORDER

Task Order No. 16-005-A

Task Order

In accordance with AIA Prime Agreement between City of Deer Park, Texas ("Owner") and Halff Associates ("Architect") for Professional Services –dated February 16, 2016 ("Agreement"), Owner and Architect agree as follows:

1. **Specific Project Data**

A. Title: Community Center and Gymnasium – Phase 1 Programming

B. Description: Architect's programming services consisting public input meetings, physical assessment of existing Community Center and Gymnasium building, definition of programming needs for these facilities, creation of conceptual floor plan options for each location, creation of a final concept floor plan and project budget for each location.

C. City of Deer Park Project Number: 16-005-A

F. Prime Agreement, Contract Number: PR-16-410-001

2. **Services of Architect**

See Attachment A: Proposed Scope of Professional Services for Community Center and Gymnasium – Phase 1 Programming February 16, 2016.

3. **Owner's Responsibilities**

Owner shall have those responsibilities set forth in the Agreement subject to the following: See Attachment A: Proposed Scope of Professional Services for Community Center and Gymnasium – Phase 1 Programming dated February 16, 2016.

4. **Times for Rendering Services**

<u>Phase</u>	<u>Completion Date</u>
<u>See Attachment C</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

TASK ORDER

5. **Payments to Architect**

A. Owner shall pay Landscape Architect for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum or Not to Exceed Amount of Compensation for Services</i>
Basic Services	Lump Sum per Task (See Attachment B – Fee Schedule & Reimbursable Expenses and	\$24,800.00

B. The terms of payment are set forth in the AIA Prime Agreement unless modified in this Task Order.

6. **Other Modifications to Agreement:**

[Supplement or modify Agreement and Exhibits, if appropriate.]

7. **Attachments:** *Attachment A – Scope of Services* *Attachment B – Fee Schedule & Reimbursable Expenses* *Attachment C – Schedule of Work*

8. **Documents Incorporated By Reference:** The Agreement effective February 16, 2016.

TASK ORDER

Terms and Conditions: Execution of this Task Order by Owner and Architect shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Architect is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is February 16, 2016.

OWNER:

By: _____

Name: Jerry Mouton, Jr.

Title: Mayor, City of Deer Park, Texas

Date: _____

ATTEST:

ARCHITECT :

By: _____

Name: Tim Bargainer, PLA, ASLA, CLARB

Title: Vice President

Date: 2/16/16

Sandra Watkins, City Secretary

STATE OF TEXAS

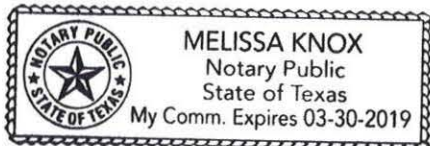
COUNTY OF HARRIS

} CORPORATE

} ACKNOWLEDGEMENT

On this 16th day of February, 2016, Tim Bargainer personally appeared before me and proved to me through satisfactory evidence of identification to be the person who signed this document in my presence.

[SEAL]



Notary Public

My Commission Expires: 03-30-2019

TASK ORDER

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

Name: Scott Swigert

Name: Tim Bargainer, PLA, ASLA, CLARB

Title: Director, Parks and Recreation

Title: Director of Landscape Architecture

Address: 610 E. San Augustine
Deer Park, TX 77536

Address: 4030 W. Braker Ln., Suite 450
Austin, Texas 78759-5356

E-Mail
Address: sswigert@deerparktx.org

E-Mail
Address: tbargainer@half.com

Phone: 281-478-2058

Phone: 512-777-4568

Fax: 281-478-7212

Fax: 512-252-8141

Attachment “A”

Scope of Professional Services for Community Center and Gymnasium Programming City of Deer Park, Texas

SERVICES TO BE PERFORMED BY OWNER

Design Studies and Design Criteria

- As-built plans for existing facilities adjacent to this project, if available.
- Existing geotechnical reports and data for existing facilities adjacent to this project, if available.
- Utility information (plans, maps, etc.) both current and archived within the OWNER of Deer Park, if available.

Public Involvement

- Provide guidance on selecting appropriate stakeholders for public meeting(s).
- Sponsor and conduct public meetings

Field Surveying and Photogrammetry

- Provide all available survey and photogrammetry information to date.

Drainage

- Provide available information and studies on existing drainage areas.
- Provide hydraulic design criteria for project design.
- Provide standard details and specifications as necessary to assist ARCHITECT.

Miscellaneous

- Provide direction necessary for aesthetic treatment of existing and proposed structures, amenities and landscaping.
- Provide copies of all licensing agreements, utility agreements and other legal instruments related to the project.
- Prepare and coordinate any required Licensing and/or Utility Agreements.
- Pay all filing; permit review, application and inspection fees.
- Provide any other pertinent information to assist the ARCHITECT.
- Acquire right-of-entry on any property not owned by the OWNER should it be determined necessary to complete the scope of work identified within this agreement.
- It is the OWNER's responsibility to facilitate and coordinate with private property owners, if deemed necessary.

SCOPE OF WORK TO BE PERFORMED BY ARCHITECT

Architect's shall perform preliminary services consisting public input meetings necessary to define the program needs for these facilities and develop conceptual floor plan options for Community Center and Gymnasium, including indoor pool, culminating in a final concept floor plan and project budget.

Program

ARCHITECT shall provide public input and programming services necessary to determine the program items for design of improvements.

Development Budget Goal

A proposed development budget goal for the ultimate development of the improvements is generally established at \$6.0 million dollars.

Given the above stated general project information ARCHITECT will provide the following scope of basic services per task listed once the OWNER has issued an executed agreement.

BASIC SERVICES

The proposed basic services, which are outlined below, shall include: public input meetings, physical assessment of existing Community Center and Gymnasium building, definition of programming needs for these facilities, creation of conceptual floor plan options for each location, creation of a final concept floor plan and project budget for each location.

PHASE 1: PROGRAMMING SERVICES

This phase will include the following:

- Facilitate kick-off meeting with the OWNER and steering committee to identify project goals, and programmatic needs. Owner to identify additional participants and stakeholders to be included in initial design process (1 meeting).
- Conduct team site assessment to identify site opportunities and constraints and develop a refined physical assessment of the existing the Community Center and Gymnasium. (visit combined with kick-off).
- Conduct independent accessibility review with Registered Accessibility Specialist (RAS) and provide assessment of facility's compliance with applicable TAS/ADA standards.
- Refinement of preliminary programming assessment with Owner and other team members.
- Preparation of conceptual floor planning options. (2 options).
- Meet with OWNER to review preliminary concepts
- Attend and present in facilitating steering committee meeting (1 meeting).
- Preparation of final conceptual floor plan and proposed project budget based on the final conceptual floor plan.
- Present final preliminary conceptual floor plan to OWNER for approval to proceed with subsequent task order to begin detailed design for permitting and construction.

- NOTE: 1) Informal digital graphics to be submitted to the PARD Department for review and comment throughout this phase to expedite the design/decision making process.*
- 2) Additional presentation boards and marketing material to be billed as reimbursable expenses.*
- 3) It is intended herein, that meetings regarding input and feedback for Maxwell Center and the Recreation and Gymnasium Center are facilitated on the same visit/day.*

ADDITIONAL SERVICES

The following services are not included within the scope of basic services. The Consultant can provide these services, if requested and approved in writing by the City, on a time (hourly) and expense basis.

- Providing other services not otherwise included in this proposal or not customarily furnished in accordance with generally accepted consulting practices for the Project.
- Any facilitation or coordination with private property owners beyond meeting identified.
- Revisions to the master site plan due to significant changes or additions requested by the OWNER after approval of final site master plan and OPCC.
- Preparation of marketing material or illustrative graphics requested other than those indicated under Basic Services.
- Site visits or meetings as requested above and beyond the number identified under Basic Services.
- Design services beyond those identified under Basic Services including but not limited to environmental, geotechnical, design survey, construction documentation preparation, permitting, bidding and construction phase services.

PROJECT AREA MAP (Provided by OWNER 2015)



ATTACHMENT “B”

Fee Schedule & Reimbursable Expenses for Community Center and Gymnasium Programming City of Deer Park, Texas

For the basic services stated previously, the lump sum fee shall be as follows. Billing will occur on a monthly cycle, based on a percentage of work performed per phase and completed during the previous time period including any deliverables associated with such phase, subject to Owner review and approval. Reimbursable Expense will be performed on a maximum not to exceed manner.

BASE SERVICE TASK	FEES
PHASE 1: Project Management Coordination	\$2,800
<u>PHASE 2: Programming Services/RAS Assessment</u>	<u>\$23,200</u>
TOTAL FOR BASIC SERVICES	\$26,000
Reimbursable Expenses	\$1,200

ATTACHMENT “C”

Fee Schedule & Reimbursable Expenses for Community Center and Gymnasium Programming City of Deer Park, Texas

ARCHITECT is prepared to begin services necessary for completion of the work identified within Attachment “A” Scope of Work upon execution of the Task Order and it is the intent of the ARCHITECT to work with the OWNER to meet the reasonable expectations for delivery of basic services. It is anticipated to take approximately two (2) months upon Notice to Proceed to execute construction documents and regulatory entitlements. ARCHITECT is not responsible for delays incurred by regulatory or reviewing entities.



Legislation Details (With Text)

File #: AUT 18-095 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/19/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Consideration of and action on recommending to City Council to authorize negotiating a professional services agreement with Brinkley Sargent Wigington Architects for programming services associated with the Community Center and Gymnasium.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on recommending to City Council to authorize negotiating a professional services agreement with Brinkley Sargent Wigington Architects for programming services associated with the Community Center and Gymnasium.

Summary:

In 2016, after receipt and review of Statements of Qualifications from several firms, the DPCDC recommended, and the City Council approved a Prime (or master) agreement with Halff Associates and separate task orders for the seven (7) Type B funded projects. Task Order No. 16-005-A was for Phase I Programming for the exiting Community Center and Gymnasium. It has now been recommended that Task Order No. 16-005-A related to the existing Community Center be terminated and to instead explore options for a new Community Center facility. Mr. Stephen Springs, Senior Principal of Brinkley, Sargent, Wigington Architects served as the architectural subconsultant to Halff Associates for the evaluation of the Community Center. Brinkley, Sargent, Wigington has an extensive background in the programming and architectural services of recreational and city facilities.

Fiscal/Budgetary Impact:

Type B funds are available for this purpose.

Recommend to City Council to authorize negotiating a professional services agreement with Brinkley Sargent Wigington Architects for programming services associated with the Community Center and Gymnasium.



Legislation Details (With Text)

File #: AUT 18-096 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/19/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**

Title: Consideration of and action on recommending to City Council to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails.

Sponsors:

Indexes:

Code sections:

Attachments: [Deer Park Task Order 16- 007-Draft Hike and Bike](#)
[Deer Park Ph2 Trails Attachements A-B-C](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on recommending to City Council to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails.

Summary:

In 2016, after receipt and review of Statements of Qualifications from several firms, the DPCDC recommended, and the City Council approved a Prime (or master) agreement with Halff Associates and separate task orders for the seven (7) Type B funded projects. Each task order defines the scope and budget for that specific project.

A summary of all task orders related to the Prime Agreement with Halff Associates for professional services is as follows:

Project	Task Order #	Basic Services + Reimbursables
Dow Park Pavilion	16-002-A	\$120,750
Community Center & Gym	16-005-A	\$27,200
Maxwell Center	16-004-A	\$16,200
Spencerview	16-001-A	\$257,700
Youth Sports (Girls Softball)	16-006-A	\$287,033
Soccer Fields	16-003-B	\$306,032
Hike & Bike Trails	16-007	\$47,500
Total		\$1,062,415

Task Order No. 16-007 is for the development of hike and bike trails. Programming in the amount of \$45,000 for Basic Services and \$2,500 for reimbursable expenses, totaling \$47,500 (see attached).

It is now recommended that the task order with Halff Associates be terminated pursuant to Section 9.4 of the Prime Agreement, which states: "The Owner may terminate this agreement or an individual task order upon not less than seven (7) days' written notice to the Architect for the Owner's

convenience and without cause.” No services have been performed under this task order.

Fiscal/Budgetary Impact:

Recommend to City Council to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails.

TASK ORDER

Task Order No. 16-007

Task Order

In accordance with AIA Prime Agreement between City of Deer Park, Texas ("Owner") and Halff Associates ("Architect") for Professional Services –dated February 16, 2016 ("Agreement"), Owner and Architect agree as follows:

1. **Specific Project Data**

A. Title: PHASE 2 HIKE AND BIKE TRAIL IMPROVEMENTS

B. Description: The Architect's design services consist of preliminary hike and bike preliminary design and planning of proposed improvements, construction design services necessary for bidding and construction of proposed improvements which includes: five (5) hike and bike trail segments. Architect will also submit the final design for an independent RAS review and submittals to the City of Deer Park for the required development approvals and issue construction plans for bid. Additionally, Architect will prepare estimates of probable construction costs and perform limited construction phase services.

C. City of Deer Park Project Number: 16-007

D. Prime Agreement, Contract Number: PR-16-410-001

2. **Services of Architect**

See Attachment A: Proposed Scope of Professional Services for Phase 2 Hike and Bike Trail Improvements Design and Construction dated February 7, 2017.

3. **Owner's Responsibilities**

Owner shall have those responsibilities set forth in the Agreement subject to the following: See Attachment A: Proposed Scope of Professional Services for Phase 2 Hike and Bike Trail Improvements Design and Construction dated February 7, 2017.

4. **Times for Rendering Services**

<u>Phase</u>	<u>Completion Date</u>
<u>See Attachment C</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

TASK ORDER

5. **Payments to Architect**

A. Owner shall pay Landscape Architect for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum or Not to Exceed Amount of Compensation for Services</i>
Basic Services	Lump Sum per Task (See Attachment B – Fee Schedule & Reimbursable Expenses)	\$45,000.00

B. The terms of payment are set forth in the AIA Prime Agreement unless modified in this Task Order.

6. **Other Modifications to Agreement:**

[Supplement or modify Agreement and Exhibits, if appropriate.]

7. **Attachments:** *Attachment A – Scope of Services*
Attachment B – Fee Schedule & Reimbursable Expenses
Attachment C – Schedule of Work

8. **Documents Incorporated By Reference:** The Agreement effective February 7, 2016.

TASK ORDER

Terms and Conditions: Execution of this Task Order by Owner and Architect shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Architect is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is August 02, 2016.

OWNER:

ARCHITECT :

By: _____

By: _____

Name: Jerry Mouton, Jr.

Name: Tim Bargainer, PLA, ASLA, CLARB

Title: Mayor, City of Deer Park, Texas

Title: Vice President

Date: _____

Date: _____

ATTEST:

Sandra Watkins, City Secretary

STATE OF TEXAS

} CORPORATE

COUNTY OF HARRIS

} ACKNOWLEDGEMENT

On this ____ day of _____, 2016, Tim Bargainer personally appeared before me and proved to me through satisfactory evidence of identification to be the person who signed this document in my presence.

[SEAL]

Notary Public

My Commission Expires: _____

TASK ORDER

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

Name: Scott Swigert

Name: Tim Bargainer, PLA, ASLA, CLARB

Title: Director, Parks and Recreation

Title: Director of Landscape Architecture

Address: 610 E. San Augustine
Deer Park, TX 77536

Address: 4030 W. Braker Ln., Suite 450
Austin, Texas 78759-5356

E-Mail
Address: sswigert@deerparktx.org

E-Mail
Address: tbargainer@half.com

Phone: 281-478-2058

Phone: 512-777-4568

Fax: 281-478-7212

Fax: 512-252-8141

Attachment “A”

Scope of Professional Services for
Deer Park Phase 2 Hike and Bike Trail Improvements
Design and Construction
City of Deer Park, Texas

SERVICES TO BE PERFORMED BY CITY

Design Studies, Criteria, Data

- As-built plans for existing facilities and facilities adjacent to this project, if available.
- Existing geotechnical reports and data for existing facilities recently completed within the property and adjacent to the site, if available for reference only.
- Utility information (plans, maps, etc.) both current and archived within the CITY of Deer Park, if available.
- All available current CITY of Deer Park GIS, aerials and available survey information to date.

Public Involvement

- Provide guidance on selecting appropriate stakeholders for public meetings(s).
- Sponsor and conduct public meetings.

Field Surveying and Photogrammetry

- Provide all available survey and photogrammetry information to date.

Drainage

- Provide available information and studies on existing drainage areas on and off-site.
- Provide hydraulic design criteria for project design.
- Provide standard details and specifications as necessary to assist design CONSULTANT.

Miscellaneous

- Provide direction necessary for aesthetic hike and bike trail design standards, treatment of proposed structures, amenities, parking and planting.
- Provide copies of all licensing agreements, utility agreements and other legal instruments related to the project.
- Prepare and coordinate any required Licensing and/or Utility Agreements.
- Pay all filing; permit review, application and inspection fees.
- Acquire right-of-entry on any property not owned by the CITY should it be determined necessary to complete the scope of work identified within this agreement.
- It is the CITY's responsibility to facilitate and coordinate with private property owners, if deemed necessary.
- Coordination with Harris County Flood Control District (HCFCD) regarding improvements within HCFCD easements.
- Provide any other pertinent information to assist the design CONSULTANT.

SCOPE OF WORK TO BE PERFORMED BY CONSULTANT

The purpose of the services proposed herein is to provide professional consulting services consisting of landscape architecture necessary for the development of the Deer Park Hike and Bike Trail Improvements – Phase 2 Design and Construction (the project). The CONSULTANT intends to work in effective cooperation with the CITY and provide hike and bike trail preliminary planning, and the necessary plans and specifications needed for permitting/approval from regulatory entities to achieve an efficient and acceptable implementation of the project.

Program

CONSULTANT shall provide design services for the following general program elements

- Develop Hike and Bike Preliminary Plan for the Phase 2 portions of the CITY's hike and bike trail improvements. The Preliminary Plan is to prioritize five (5) trail segments for further implementation of design and construction.
- Prepare Design and Construction plans for implementation of the five (5) identified trail segments.

NOTE: The list of general program elements is not all-inclusive. Additional program items may result from site reconnoitering and design development.

Construction Development Budget

A construction development budget for the program items is generally established at \$500,000 dollars including professional fees and a 10% contingency, this budget is based on the CITY's annual fund allocation of \$100,000 dollars per year for hike and bike trail improvements. This Construction Development Budget is based on the CITY's five year allocation of funds.

Given the above stated general project information CONSULTANT will provide the following scope of basic services per task listed once the CITY has issued and executed this Task Order.

The Consultant will generate and revise an opinion of probable construction costs (OPCC) throughout the project's design development but does not guarantee that proposals, bids, or actual Project cost will not vary from its opinion of probable construction costs (OPCC).

BASIC SERVICES

The proposed basic services, which are outlined below, shall include: project management| coordination, preliminary planning followed by construction documents and regulatory entitlement, bidding assistance and construction phase services for each of the hike and bike trail segments indicated in the preliminary planning phase.

PHASE 1: PROJECT MANAGEMENT and COORDINATION

This task will include the following activities:

- Coordinate a kick-off meeting with the design team and City to identify project goals, schedules and projected milestones. (1 meeting)
- Attend Preliminary site visit/meeting, pre-development meeting, parks board presentation, DPCDC and City Council. (1 meeting)

- Review all modifications and comments requested by jurisdictional and regulatory agencies with the City. (1 meeting)
- Coordinate and oversee revisions to drawings and assist City in submitting final documents to the appropriate agency(s) for final processing, approvals and permits.

PHASE 2: HIKE AND BIKE TRAIL PRELIMINARY PLANNING

This phase will include the following:

- Conduct preliminary meeting with the CITY and assist in determining hike and bike trail priorities and potential trail segments. (1 meeting)
- Data Collection / Site Assessment
 - Compile CITY provided data such as GIS, CAD, aerial photography.
 - Review relevant existing and/or proposed site, transportation and utility infrastructure.
 - Compile Houston-Galveston Area Council LIDAR topographic information.
- The Consultant shall develop a digital photographic inventory of the project limits to document any critical issues potentially impacting the sites, existing conditions, and serve as a reference for the design team.
- Prepare preliminary hike and bike plan based on meeting with the CITY illustrating the each of the five (5) trail segments.
- Prepare an Opinion of Probable Construction Costs (OPCC) for proposed work including appropriate escalation factors and contingencies for each segment.

PHASE 3: CONSTRUCTION DOCUMENTS AND PERMITTING

Upon CITY's approval of the Hike and Bike Trail Preliminary Planning and the associated OPCC, the CONSULTANT will develop working/construction drawings and technical specifications necessary to construct each of the five (5) trail segments.

Construction drawings may include, but not be limited to the following information: general construction and project specific notes, demolition plan, site construction details, grading, and erosion/sedimentation/tree protection. CONSULTANT shall prepare Contract Documents and Technical Specifications that includes a description of materials, systems and equipment, workmanship, quality and performance criteria required for the construction of the work. CONSULTANT shall coordinate any utility needs and adjustment with the CITY and utility service provider(s). CONSULTANT shall assist CITY in submitting plans to regulatory entities for approval and permitting to be used for bidding and implementation of the project. This phase will include the following:

- Coordinate construction drawings with other team members.
- Prepare fifty percent (50%) construction drawings and OPCC including appropriate escalation factors and contingencies. Submit to CITY for review and comments.
- Review 50% construction drawings and OPCC with CITY (1 meeting).
- Prepare ninety percent (90%) construction drawings, specifications/project manual and OPCC including appropriate escalation factors and contingencies. Submit to CITY for review and comments.
- Review 90% construction drawings, specifications/project manual and OPCC with CITY and (1 meeting).

- Prepare final construction drawings, specifications, reports, permit applications, SWPPP and other documents required for permitting and construction; update OPCC including appropriate escalation factors and contingencies. Submit to CITY for review and comments.
- Assist the CITY in filing the appropriate plans and documents with Texas Department of Licensing and Regulation (TDLR) for accessibility compliance with the 2012 Texas Accessibility Standards (with review by independent Texas Registered Accessibility Specialist RAS).
- Review and address all comments requested by regulatory agencies, the CITY and city development review.
- Revise drawings, OPCC and submit documents to the appropriate agency(s) for final processing, approvals and permits (1 meeting).

NOTE: 1) *All filing, permit review, application and inspection fees to be paid by the CITY.*
 2) *Deliverable quantities for permitting required by the CITY and/or regulatory entities; plans, specification, reports, etc. to be billed as reimbursable expenses.*

Phase 4: BIDDING ASSISTANCE | CONSTRUCTION PHASE SERVICES

TASK A: BIDDING ASSISTANCE

Upon CITY's approval and permitting of Construction Documents, CONSULTANT shall assist CITY during the bidding process. This phase will include the following services:

- Coordinate the schedule for bid advertising, pre-bid conference, and bid opening.
- Prepare and organize bid solicitation and proposal forms consistent with the CITY's requirements.
- Attend and assist the CITY with a pre-bid conference (1 meeting).
- Address contractor RFI's, prepare and issue addenda as required.
- Attend and assist the CITY with bid opening, review/evaluate bids including alternates (1 meeting).
- Provide written recommendation to CITY. Contingent upon project construction delivery method.
- Once approved by CITY Staff, attend CITY Council meeting for award of construction contract as required (1 meeting).

TASK B: CONSTRUCTION PHASE SERVICES

CONSULTANT shall assist CITY during the construction process. CONSULTANT shall endeavor to secure compliance by the contractor to the plans and specifications. CONSULTANT shall not be responsible for construction means, methods, techniques, sequences or procedures in connection with the work and CONSULTANT shall not be responsible for the contractor's errors or omissions or failure to carry out the work in accordance with the contract documents. CITY will provide and pay for construction inspection and materials testing services. This phase will include the following:

- Assist CITY with Issuing the Notice to Proceed and assisting with acquiring executed contracts, bonds and insurance from the contractor.

- Attend and assist the CITY in conducting and overseeing a pre-construction meeting (1 meeting).
- Construction observation – preparation and processing of Requests for Information, Change Proposals, Change Orders, Change Directives, review/approval of shop drawing, submittals, samples and mock-ups (as required).
- Conduct and oversee monthly progress meetings. Consultant will be responsible for recording and keeping minutes of all meetings with City staff and distributing within 48 hours of the meeting date.
- Review and approve contractor's monthly Application and Certification for Payment.
- Attend and assist CITY with substantial completion inspection(s) and walk-thru including TAS inspection; issue punch list and letter of substantial completion for incomplete items including time for completion (1 meeting).
- Attend and assist CITY with final inspection for acceptance of project and issue letter of concurrence (1 meeting).
- Assist CITY in acquiring final close-out documents, warranties, accurate as-built drawings and other documents from contractor required to close-out project.
- Review and approve contractor's final Application and Certification for Payment including retainage.

Opinion of Probable Construction Costs (OPCC) Disclaimer

Opinion of probable construction costs provided by the CONSULTANT are based on the CONSULTANT's familiarity with the construction industry and are provided only to assist the CITY throughout the design process; such opinions shall not be construed to provide a guarantee or warranty of the actual construction costs at the time construction bids are solicited or construction contracts negotiated. Unless expressly agreed in writing and signed by the parties, no fixed limit of construction costs is established as a condition of this Agreement by the furnishing of the opinion of probable construction costs. Throughout the design process the CONSULTANT will assist the CITY in value engineering the project and making necessary adjustments in an effort to meet the project construction budget.

ADDITIONAL SERVICES

The following services are not included within the scope of basic services unless previously discussed above. Should CONSULTANT be required to provide services in obtaining or coordinating compilation of this information, such services shall be performed as Additional Services. Additional Services shall only be provided if previously authorized by the CITY.

Additional Services may include, but not be limited to, the following:

- Meetings with Regulatory Entities other than the City to review construction documents.
- All filing, permit review and application fees.
- Project Design Surveying.
- Increase in construction documentation, regulatory entitlement, bidding assistance and construction phase services resulting from increase development budget of more than 10%.
- Revisions to drawings previously approved by the CITY and regulatory entities due to changes in: Project scope, budget, schedule, unforeseen subsurface construction conditions or when such revisions are inconsistent with written approvals or instructions previously given; enactment or revision codes, laws, or regulations subsequent to the preparation of such documents.
- Preparation of Phased bid package(s) with reduced scope of items defined herein, including construction drawings and specifications not included as part of basic services.
- Preparation of presentation materials for marketing or purposes other than in-progress approvals.
- Public or other presentations beyond those described in scope of services.
- Provide consultation, drawings, reports and other work products related to permits, approvals and ordinances not described in scope of services.
- Providing professional services for the field selection of plant materials.
- Traffic Impact Analysis.
- Traffic Control Plans.
- Design for site elements other than pre-engineered structures.
- Gas, Telephone/Communication design.
- Design of utility extension(s) to the project site.
- Services required after final acceptance of construction work.
- Preparation of record documents from contractors as-built drawings.
- Detailed Flood Plain Analysis.
- Hydrologic Analysis.
- CLOMR and/or LOMR
- Permitting through Army Corp of Engineers (USACE).
- Geotechnical investigation for structures not accounted for in basic scope of services.
- Environmental services.
- Geological Assessment
- Archeological Assessment.
- Hazardous Site Assessments.
- Construction Staking.
- Property Title Research
- Legal Lot Determinations unless defined within scope of services.

- Preparation of multi-use agreement(s) and exhibits.
- Easement acquisition or vacation including preparation of easement documents.
- Preparation and processing of Waivers, Variances or Exceptions.
- Land Acquisition services.
- Any services related to ROW acquisition.
- Any design work that will require work in the ROW or impact traffic entering and exiting the public and private ROW.
- ROW mapping exhibits and meets and bounds documentation required for ROW acquisition. City Land Acquisition/ROW mapping requirements to be used.
- Assistance or representation in litigation concerning the property of proposed project.
- Conflict Resolution.
- Providing services other than those outlined in scope of services.

ATTACHMENT “B”

Fee Schedule & Reimbursable Expenses for
Deer Park Phase 2 Hike and Bike Trail Improvements
Design and Construction
City of Deer Park, Texas

For the basic services stated previously, the lump sum fee shall be as follows. Billing will occur on a monthly cycle, based on a percentage of work performed per phase and completed during the previous time period including any deliverables associated with such phase, subject to CITY review and approval. Reimbursable Expense will be performed on a maximum not to exceed manner.

BASE SERVICE TASK	FEES
PHASE 1: Project Management and Coordination	\$ 1,500
PHASE 2: Hike and Bike Preliminary Planning	\$ 3,500
PHASE 3: Construction Documents and Permitting	\$ 30,000
PHASE 4: Bidding Assistance and Construction Phase Services	\$ 10,000
 TOTAL FOR BASIC SERVICES	 \$45,000
Reimbursable Expenses	\$ 2,500

ATTACHMENT “C”

Schedule

Deer Park Phase 2 Hike and Bike Trail Improvements

Design and Construction

City of Deer Park, Texas

CONSULTANT is prepared to begin services necessary for completion of the work identified within Attachment “A” Scope of Work upon execution of the Task Order and it is the intent of the CONSULTANT to work with the CITY to meet the reasonable expectations for delivery of the basic services. The project schedule is to be defined in coordination with the CITY along with the delivery goals at the time of the initial kick-off meeting with the CITY. The CONSULTANT is not responsible for delays incurred by regulatory or reviewing entities.



Legislation Details (With Text)

File #: AUT 18-097 **Version:** 1 **Name:**

Type: Authorization **Status:** Agenda Ready

File created: 10/19/2018 **In control:** Deer Park Community Development Corporation

On agenda: 10/22/2018 **Final action:**

Title: Consideration of and action on recommending to City Council to authorize solicitation of statements of qualifications for professional services related to the development of hike and bike trails.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on recommending to City Council to authorize solicitation of statements of qualifications for professional services related to the development of hike and bike trails.

Summary:

In 2016, after receipt and review of Statements of Qualifications from several firms, the DPCDC recommended, and the City Council approved a Prime (or master) agreement with Halff Associates and separate task orders for the seven (7) Type B funded projects. Task Order No. 16-007 was for professional services related to the development of hike and bike trails. It has now been recommended that Task Order No. 16-007 be terminated and that statements of qualifications be solicited for professional services related to the development of hike and bike trails.

Fiscal/Budgetary Impact:

Type B funds are available for this purpose.

Recommend to City Council to authorize solicitation of statements of qualifications for professional services related to the development of hike and bike trails.



Legislation Details (With Text)

File #: AUT 18-098 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/19/2018 **In control:** Deer Park Community Development Corporation
On agenda: 10/22/2018 **Final action:**
Title: Consideration of and action on authorization and recommendation to City Council to utilize existing unencumbered funds from the Maxwell Adult Center project for an amendment to the professional services agreement with Halff Associates for additional construction phase services due to the extended construction schedule.

Sponsors:

Indexes:

Code sections:

Attachments: [Deer Park Maxwell TO no 16004F rev1 for City review 10-9-2018](#)

Date	Ver.	Action By	Action	Result
10/22/2018	1	Deer Park Community Development Corporation		

Consideration of and action on authorization and recommendation to City Council to utilize existing unencumbered funds from the Maxwell Adult Center project for an amendment to the professional services agreement with Halff Associates for additional construction phase services due to the extended construction schedule.

This is for additional services for construction phase services due to the Contractor's extended construction schedule. Services to adding five (5) bi-weekly meeting to the contracted eight (8) monthly progress meetings held between the Owner, Architect, Engineer, and Contractor. This increase is due to extended construction schedules and the need to continue professional construction administration services to project completion, anticipated for November 2018.

Commencement of construction began on November 16, 2017. At project completion, the Architect will have conducted and participated in twenty-two (22) bi-weekly progress meeting.

May 9, 2015 the citizens in Deer Park passed a special election Type B Economic Development Sales and Use Tax for the appropriation of \$2,000,000 for the renovations of the Maxwell Adult Center.

\$2,000,000.00 Appropriated funds for the Maxwell Adult Center Project

Approved by DPCDC & Council

\$1,562,000.00 Lowest Responsible Bidder - Frost Construction

\$283,300.00 Professional Services - Halff Associates

\$1,845,300.00 Total

Requesting from DPCDC Unencumbered Funds

\$144,385.00 Unencumbered Funds for Maxwell Adult Center

(\$7,000.00) Additional Professional Services - Halff Associates

(\$48,684.97)	Demo Services, Waterproofing, Applied Services
(\$19,265.95)	Installation of new foundation piers and replace floor slab
(\$17, 680.37)	Structured Cabling for Maxwell Adult Center
(\$13,331.58)	Security Cameras purchase and install - Lensec
<u>(\$14,000.00)</u>	Architect's additional services for construction phase services due to the Contractor's extended construction schedule
\$24,422.13	Total - Remaining in Unencumbered Funds

Recommendation to City Council to utilize existing unencumbered funds from the Maxwell Adult Center project for an amendment to the professional services agreement with Half Associates for additional construction phase services in the amount of \$14,000 due to the extended construction schedule.

TASK ORDER

Task Order No. 16-004-F

Task Order

In accordance with AIA Prime Agreement between City of Deer Park, Texas ("Owner") and Halff Associates ("Architect") for Professional Services –dated February 16, 2016 ("Agreement"), Owner and Architect agree as follows:

1. Specific Project Data

A. Title: Maxwell Center Expansion – Additional Services

B. Description: Additional services for construction phase services due to the Contractor's extended construction schedule. Services to adding five (5) bi-weekly meeting to the contracted eight (8) monthly progress meetings held between the Owner, Architect, Engineer, and Contractor. This increase is due to extended construction schedules and the need to continue professional construction administration services to project completion, anticipated for November 2018. Commencement of construction began on November 16, 2017. At project completion, the Architect will have conducted and participated in twenty-two (22) bi-weekly progress meeting.

The itemized services are as follows:

Month of Service	Additional Professional Services Fee	Description of Additional Professional Services
August 2018	\$2,150	One (1) additional bi-weekly meeting not billed (8/21/18); meeting minutes; contractor pay application review/approval
September 2018	\$4,300	Two (2) additional bi-weekly meetings not billed (9/4/18 & 9/18/18); meeting minutes; contractor pay application review/approval
October 2018	\$4,300	One (1) additional bi-weekly meeting (10/9/18) and punch walk (10/23/18); meeting minutes; punch report; contractor pay application review/approval
November 2018	\$3,250	One (1) meeting for final acceptance (11/2/18); meeting minutes; final acceptance report; processing close-out documents; contractor final pay and retainage application review/approval
TOTAL	\$14,000	

C. City of Deer Park Project Number: 16-004-F

TASK ORDER

D. Prime Agreement, Contract Number: PR-16-410-001

2. **Services of Architect**

Professional services for the proposed Maxwell Center expansion and parking lot improvements to include additional construction phase services.

3. **Owner's Responsibilities**

Owner shall have those responsibilities set forth in the Agreement subject to the following: Refer to Prime Agreement.

4. **Times for Rendering Services**

<u>Phase</u>	<u>Completion Date</u>
<u>Construction Phase Services</u>	<u>To be included with the Current</u>
<u></u>	<u>Schedule</u>
<u></u>	<u></u>

5. **Payments to Architect**

A. Owner shall pay Landscape Architect for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum or Not to Exceed Amount of Compensation for Services</i>
Basic Services	Lump Sum addition to the Task Phase 3 original contract, dated Feb. 16, 2016.	\$14,000.00

B. The terms of payment are set forth in the AIA Prime Agreement unless modified in this Task Order.

6. **Other Modifications to Agreement:**

[Supplement or modify Agreement and Exhibits, if appropriate.]

7. **Attachments:** NA

8. **Documents Incorporated By Reference:** The Original Agreement effective February 16, 2016.

TASK ORDER

Terms and Conditions: Execution of this Task Order by Owner and Architect shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Architect is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is October 9, 2018.

OWNER:

ARCHITECT :

By: _____

By: _____

Name: Jerry Mouton, Jr.

Name: Tim May, PLA, LEED ap

Title: Mayor, City of Deer Park, Texas

Title: Director of Planning/ Landscape
Architecture

Date: _____

Date: _____

ATTEST:

Shannon Bennett, City Secretary

STATE OF TEXAS

} CORPORATE

COUNTY OF HARRIS

} ACKNOWLEDGEMENT

On this ____ day of _____, 2018, Tim May personally appeared before me and proved to me through satisfactory evidence of identification to be the person who signed this document in my presence.

[SEAL]

Notary Public

My Commission Expires: _____

TASK ORDER

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

Name: Charlie Sandberg

Name: Tim May, PLA, LEED ap

Title: Director, Parks and Recreation

Title: Director of Planning/ Landscape
Architecture

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