



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

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

James Stokes, City Manager
Gary Jackson, Assistant City Manager

Jerry Mouton Jr., Mayor

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

Ordinance #4020

Resolution #2018-14

CALL TO ORDER

The 1721st meeting of the Deer Park City Council.

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Proclamation - Municipal Court Week.

[PRO 18-013](#)

Recommended Action: Designate the week of November 5 - November 9, 2018 as Municipal Court Week.

Department: Finance Director Todd

Attachments: [Municipal Court Week](#)

CONSENT CALENDAR

2. Approval of minutes of workshop meeting for October 16, 2018.

[MIN 18-147](#)

Recommended Action: Approval

Attachments: [CC_MW_101618](#)

3. Approval of minutes of regular meeting for October 16, 2018.

[MIN 18-148](#)

Recommended Action: Approval

Attachments: [CC_MR_101618](#)

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

4. Approval of tax refund to Deere Credit Inc. in the amount of \$1,661.10 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-067](#)
Recommended Action: Approve the tax refund to Deere Credit Inc.
Department: Finance
5. Approval of tax refund to Pacific Life in the amount of \$10,620.00 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-068](#)
Recommended Action: Approve the tax refund to Pacific Life.
Department: Finance
6. Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$987.35 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District. [TAXR 18-069](#)
Recommended Action: Approve the tax refund to Fidelity National Title Agency Inc.
Department: Finance
7. Approval of tax refund to Center Drive Inc. in the amount of \$882.26 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-070](#)
Recommended Action: Approve the tax refund to Center Drive Inc.
Department: Finance
8. Approval of tax refund to Sanwood Investments LP in the amount of \$3,967.04 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-071](#)
Recommended Action: Approve the tax refund to Sanwood Investments LP.
Department: Finance
9. Approval of tax refund to Patricia Boone in the amount of \$1,607.39 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-072](#)
Recommended Action: Approve the tax refund to Patricia Boone.
Department: Finance
10. Approval of tax refund to Clay CMBS #2 LP in the amount of \$1,457.28 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-073](#)
Recommended Action: Approve the tax refund to Clay CMBS #2 LP.
Department: Finance
11. Approval of tax refund to Clay Partners - 306 Deerwood Glen LP in the amount of \$1,813.72 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-074](#)
Recommended Action: Approve the tax refund to Clay Partners - 306 Deerwood Glen LP.
Department: Finance
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12. Approval of tax refund to Clay Partners FG Deerwood Glen LP in the amount of \$2,834.12 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-075](#)

Recommended Action: Approve the tax refund to Clay Partners FG Deerwood Glen LP.

Department: Finance

13. Approval of tax refund to Clay Real Estate Holdings #3 LP in the amount of \$3,333.60 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-076](#)

Recommended Action: Approve the tax refund to Clay Real Estate Holdings #3 LP.

Department: Finance

14. Approval of tax refund to Clay Partners 208 Deerwood Glen LP in the amount of \$1,321.92 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-077](#)

Recommended Action: Approve the tax refund to Clay Partners 208 Deerwood Glen LP.

Department: Finance

15. Approval of tax refund to Clay Partners 220 Deerwood Glen CT LP in the amount of \$1,440.00 due to value decrease granted by Harris County Appraisal District. [TAXR 18-078](#)

Recommended Action: Approve the tax refund to Clay Partners 220 Deerwood Glen CT LP.

Department: Finance

16. Approval of tax refund to Ismael & Daisy Melissa Jimenez in the amount of \$551.62 due to a homestead exemption granted by Harris County Appraisal District. [TAXR 18-079](#)

Recommended Action: Approve the tax refund to Ismael & Daisy Melissa Jimenez.

Department: Finance

17. Approval of tax refund to Clay Partners Deerwood Office III LP in the amount of \$9,972.78 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-080](#)

Recommended Action: Approve the tax refund to Clay Partners Deerwood Office III LP.

Department: Finance

18. Approval of tax refund to Lereta Tax Services in the amount of \$636.86 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District. [TAXR 18-081](#)

Recommended Action: Approve the tax refund to Lereta Tax Services.

Department: Finance

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19. Approval of tax refund to Stewart Title Company in the amount of \$1,052.59 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District. [TAXR 18-082](#)
- Recommended Action:** Approve the tax refund to Stewart Title Company.
- Department:** Finance
20. Approval of tax refund to Northeast R. E. Management LLC in the amount of \$598.41 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-083](#)
- Recommended Action:** Approve the tax refund to Northeast R. E. Management LLC.
- Department:** Finance
21. Approval of tax refund to Clay CMBS #2 LP in the amount of \$777.60 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-084](#)
- Recommended Action:** Approve the tax refund to Clay CMBS #2 LP.
- Department:** Finance
22. Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$959.19 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District. [TAXR 18-085](#)
- Recommended Action:** Approve the tax refund to Fidelity National Title Agency Inc.
- Department:** Finance
23. Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,180.80 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-086](#)
- Recommended Action:** Approve the tax refund to Clay - CMBS #2 LP.
- Department:** Finance
24. Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,367.47 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-087](#)
- Recommended Action:** Approve the tax refund to Clay - CMBS #2 LP.
- Department:** Finance
25. Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,103.79 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-088](#)
- Recommended Action:** Approve the tax refund to Clay - CMBS #2 LP.
- Department:** Finance
26. Approval of tax refund to Clay - CMBS #5 LP in the amount of \$504.00 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-090](#)
- Recommended Action:** Approve the tax refund to Clay - CMBS #5 LP.
- Department:** Finance
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27. Approval of tax refund to Clay - CMBS #5 LP in the amount of \$1,158.12 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-091](#)
Recommended Action: Approve the tax refund to Clay - CMBS #5 LP.
Department: Finance
28. Approval of tax refund to Popp Hutcheson PLLC in the amount of \$3,222.94 due to a value decrease granted by Harris County Appraisal District. [TAXR 18-092](#)
Recommended Action: Approve the tax refund to Popp Hutcheson PLLC.
Department: Finance
29. Approval of tax refund to Carla D Ann Lowrance Trust in the amount of \$660.39 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District. [TAXR 18-093](#)
Recommended Action: Approve the tax refund to Carla D Ann Lowrance Trust.
Department: Finance
30. Authorization to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming. [AUT 18-104](#)
Recommended Action: 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](#)
31. Authorization to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails. [AUT 18-109](#)
Recommended Action: 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](#)
32. Acceptance of Quarterly Investment Report for the Quarter Ended September 30, 2018. [RPT 18-049](#)
Recommended Action: Accept the Investment Report for the Quarter Ended September 30, 2018.
Attachments: [2018 4Q Investment Report](#)

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33. Acceptance of the Deer Park Community Development Corporation's quarterly reports for the period of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018. [RPT 18-051](#)

Recommended Action: Accept the Deer Park Community Development Corporation's quarterly reports for the period of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018.

Department: City Manager's Office, Finance and Parks & Recreation

Attachments: [3rd Q Report 072318 \(cumulative\)](#)
[DPCDC Qtr Report - 9.30.18 \(cumulative\)](#)

34. Authorization on issuing a Request for Proposals (RFPs) for a water and sewer rate study. [RFP 18-010](#)

Recommended Action: Authorize issuance of a Request for Proposals (RFPs) for a water and sewer rate study.

35. Authorization to purchase an expansion shelf for the Nimble storage device from Datavox via the Texas Department of Information Resources. (DIR) [AUT 18-101](#)

Recommended Action: Approve

Attachments: [Capital Form.pdf](#)
[10-9-18 Updated Nimble Quote DVXQ9579.pdf](#)
[1295 - City of Deer Park IT0020.pdf](#)

COMMENTS FROM AUDIENCE

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

NEW BUSINESS

36. Consideration of and action on an ordinance authorizing the issuance and sale of the City of Deer Park, Texas, Certificates of Obligation, Series 2018; levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto. [ORD 18-089](#)

Recommended Action: Approve the ordinance authorizing the issuance and sale of the City of Deer Park, Texas, Certificates of Obligation, Series 2018.

Department: City Manager's Office

Attachments: [2018 CO - Draft Ordinance 11.06.18](#)

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37. Consideration of and action on appointing the City's Representative to an Arbitration Committee. [APT 18-010](#)

Recommended Action: Appoint the City's representative to an Arbitration Committee

Department: City Manager's Office

38. Consideration of and action on authorization 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 18-103](#)

Recommended Action: 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](#)

39. Consideration of and action on authorization 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 18-107](#)

Recommended Action: Authorize 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](#)

40. Consideration of and action on authorizing a professional services agreement with Brinkley Sargent Wigington Architects for a needs assessment study for a new Community Center. [AUT 18-108](#)

Recommended Action: Authorize a professional services agreement with Brinkley Sargent Wigington Architects for a needs assessment for a new Community Center.

Attachments: [DPCC Needs_Contract 2018-10-31 \(002\)](#)

41. Consideration of and action on authorizing negotiation of a proposed professional service agreement Burditt Consultants for the development of hike and bike trails. [AUT 18-110](#)

Recommended Action: Authorize negotiation of a proposed professional service agreement Burditt Consultants for the development of hike and bike trails.

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42. Consideration of and action on an amendment to the agreement with the Crime Control Prevention District (CCPD) for Personnel, Vehicles, Facilities, Equipment, and Investments. [AGR 18-034](#)

Recommended Action: Approve the amendment to the agreement.

Department: City Manager's Office

Attachments: [Agreement-City CCPD-AMENDMENT #2 FY 2018-2019](#)
[Exhibit A - CCPD FY 2018-2019 Budget](#)

43. Consideration of and action on an amendment to the agreement with the Fire Control, Prevention and Emergency Medical Services District (FCPEMSD) for Personnel, Vehicles, Facilities, Equipment, and Investments. [AGR 18-035](#)

Recommended Action: Approve the amendment to the agreement.

Department: City Manager's Office

Attachments: [Agreement-City&FCPEMSD-AMENDMENT#2](#)
[Exhibit A - FCPEMSD Budget FY 2018-2019](#)

44. Consideration of and action on authorization to purchase five (5) Chevy Tahoes from Reliable Chevrolet through the Tarrant County Cooperative Purchasing Agreement (CCPD Funded). [PUR 18-031](#)

45. Consideration of and action on the purchase of various emergency equipment to outfit (5) five Chevrolet Tahoes (CCPD). [AUT 18-102](#)

Recommended Action: Approve the purchase.

Attachments: [20181025_163438](#)

46. Consideration of and action on authorization to purchase a 2019 Ford Regular Cab DRW with Chassis for the Street Maintenance Department through the H-GAC Cooperative Purchasing Program. [PUR 18-032](#)

Recommended Action: Authorization to purchase a 2019 Ford Regular Cab DRW with Chassis for the Street Maintenance Department through the H-GAC Cooperative Purchasing Program.

Department: Finance

Attachments: [2019 Ford Dump Truck - Street Maintenance](#)

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47. Consideration of and action on authorization to purchase a 2019 Wilkens Open Top 45-foot Walking Floor Trailer with Hydraulic Top for the Sanitation Department through the Buy Board Cooperative Purchasing Program. [PUR 18-033](#)

Department: Finance

Attachments: [2019 Wilkens Walking Floor Trailer - Sanitation](#)

48. Consideration of and action on authorization to purchase a 2019 Chevrolet 3500HD Silverado 4x2 Crew Cab for the Park Maintenance Department through the Houston-Galveston Area Council Cooperative Purchasing Program. [PUR 18-034](#)

Recommended Action: Authorization to purchase a 2019 Chevrolet 3500HD Silverado 4x2 Crew Cab for the Park Maintenance Department through the Houston-Galveston Area Council Cooperative Purchasing Program.

Department: Finance

Attachments: [2019 CHEVROLET 3500HD SILVERADO 4X2 CREW CAB - Park Maintenance](#)

49. Consideration of and action on an ordinance rescheduling the January 1, 2019 regular City Council meeting to January 8, 2019. [ORD 18-074](#)

Recommended Action: Approval of the attached ordinance is recommended.

Department: City Council

Attachments: [Ordinance - Rescheduling January 1, 2019 City Council Meeting](#)

50. Consideration of and action on an ordinance related to Seismic Testing. [ORD 18-096](#)

Recommended Action: Approval is recommended

Department: City Manager's Office

Attachments: [Amend 102-200-Geophysical mineral explore-revised 10-18-2018](#)

51. Consideration of and action on an ordinance amending Schedule B to address Commercial Solid Waste Fees. [ORD 18-093](#)

Recommended Action: Approval of the ordinance amending Schedule B for Commercial Solid Waste Fees.

Department: Finance

Attachments: [Ord - Commercial Garbage Fees 2018](#)

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52. Consideration of and action on an ordinance adding Sec. 22-35 (a)(5), Sec. 22-40 and Sec. 22-41 to the Code of Ordinances pertaining to Residential Solicitation. [ORD 18-095](#)

Recommended Action: Adopt the ordinance adding the sections in the City Code of Ordinances for residential solicitation.

Attachments: [Solicitor Ordinance-Revised-city shows revised 11-6-18-actually revised 10-24-18](#)

53. Consideration of and action on an ordinance amending the Fiscal Year 2018-2019 Capital Improvement Fund Budget for the new EMS Annex. [ORD 18-090](#)

Recommended Action: Approve the ordinance amending the Fiscal Year 2018-2019 Capital Improvement Fund Budget for the new EMS Annex.

Attachments: [Ord - Amend Budget FY19 CIP \(EMS Annex\)](#)

54. Awarding Bid to and authorizing a contract with Cox Commercial Construction LLC. for the Deer Park EMS Station. [BID 18-033](#)

Recommended Action: Staff recommends approval of this award and contract.

Attachments: [Bid Tabulation](#)

[Cox Commercial Construction - PGAL Recommendation 103118](#)

55. Consideration of and action on an ordinance to amend the Fiscal Year 2018-2019 Water & Sewer Fund Budget for the Water Treatment Plant. [ORD 18-091](#)

Attachments: [Ord - Amend Budget FY19 WTP Cameras](#)

56. Consideration of and action on an ordinance removing a board member of the Deer Park Community Development Corporation and appointing a replacement. [ORD 18-094](#)

Recommended Action: Approve the ordinance removing a board member of the Deer Park Community Development Corporation and appointing a replacement.

Department: City Manager's Office

Attachments: [Removing and appointing CDC member -Nov 2018](#)

ADJOURN

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
November 2, 2018

City Hall is wheelchair accessible and accessible parking spaces are available. Hearing assistance devices are available. Requests for accommodations services must be made 72 hours prior to any meeting. Please contact the City Secretary's office at 281-478-7248 for further information.

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Legislation Details (With Text)

File #: PRO 18-013 **Version:** 1 **Name:**
Type: Proclamation **Status:** Agenda Ready
File created: 10/30/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Proclamation - Municipal Court Week.
Sponsors: Donna Todd
Indexes:
Code sections:
Attachments: [Municipal Court Week](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Proclamation - Municipal Court Week.

Summary: The week of November 5 - November 9, 2018 has been designated by the Texas Legislature as Municipal Court Week to recognize and show appreciation for the dedicated municipal judges, court clerks, court administrators, prosecutors, bailiffs, and warrant officers who comprise the Texas municipal court system. Municipal Court Week is an opportunity to not only recognize the work of the municipal court staff, but to also share with the public the important role of municipal courts in the criminal justice system and the community. During Municipal Court Week, the City's Court staff has available a sticker activity book, and a coloring book (available in English and Spanish) and box of colors to help children learn more about "A Day in Municipal Court." The staff also sets up a small refreshment table, which encourages questions and conversation to educate the community about the work of the Municipal Court.

Fiscal/Budgetary Impact:

N/A.

Designate the week of November 5 - November 9, 2018 as Municipal Court Week.



Office of the Mayor

P r o c l a m a t i o n

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas; and

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Deer Park Municipal Court is a state court and its judges are members of the state judiciary; and

WHEREAS, the procedures for the City of Deer Park Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas; and

WHEREAS, the City of Deer Park is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, Deer Park Municipal Judges are not policy makers for the City of Deer Park but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees; and

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Deer Park Municipal Court in complying with such legal requirements.

NOW, THEREFORE, I, JERRY MOUTON, Mayor of the City of Deer Park, by virtue of the authority vested in me, along with City Council, do hereby proclaim the week of November 5th through November 9th, 2018 as:

"MUNICIPAL COURT WEEK"

In recognition of the fair and impartial justice offered to our citizens by the Municipal Court of Deer Park, Texas.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Official Seal of the City of Deer Park to be affixed hereto this Sixth Day of November, Two Thousand and Eighteen, A.D.

**Mayor Jerry Mouton
City of Deer Park**



City of Deer Park

710 E SAN AUGUSTINE
DEER PARK, TX 77536

Legislation Details (With Text)

File #: MIN 18-147 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 11/1/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of minutes of workshop meeting for October 16, 2018.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MW_101618](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of minutes of workshop meeting for October 16, 2018.

Summary:

Fiscal/Budgetary Impact:

None

Approval

CITY OF DEER PARK
710 EAST SAN AUGUSTINE STREET

77-

DEER PARK, TEXAS 77536

Minutes

of

A WORKSHOP MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON OCTOBER 16, 2018, BEGINNING AT 6:15 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

OTHER CITY OFFICIALS PRESENT:

JAY STOKES	CITY MANAGER
GARY JACKSON	ASSISTANT CITY MANAGER
SONIA ACOSTA	DEPUTY CITY SECRETARY
JIM FOX	CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the workshop to order at 5:45 p.m.
2. EXECUTIVE SESSION – PERSONNEL – NAMING TWO APPOINTEES TO THE BOARD OF DIRECTORS OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION – Mayor Mouton recessed the meeting at 6:15 p.m. for an Executive Session.
3. RECONVENED – Mayor Mouton reconvened the workshop meeting at 6:28 p.m.
4. DISCUSSION OF ISSUES RELATING TO RECYCLING SERVICES AND COMMERCIAL WASTE REMOVAL SERVICES WITH WASTE MANAGEMENT OF TEXAS, INC. – Shannon Lopez, of Waste Management of Texas Inc., gave an overview of prior discussions concerning the renewal of the existing Commercial Solid Waste Collection and Transportation Agreement between Waste Management of Texas, Inc. (WMT) and the City of Deer Park. Ms. Lopez outlined the potential terms and conditions Waste Management Inc. would find agreeable as part of a potential contract amendment to include; commercial collection services rates that will only increase by a flat 12% effective 12/1/2018 and a flat 5% every other year (EOY), 12/1/2019 and 12/1/2020, extension of the current Commercial Solid Waste Collection and Transportation Agreement with Waste Management of Texas Inc. until 11/30/2021, and adding “Unusual Accumulations” language to the amendment. (Exhibit A1-A3)

Councilwoman Garrison asked, “How are we going to handle letting the people know of the excess charge?”

City Manager, Jay Stokes responded, “It will not go into effect until after January 2, 2019. Between now and then, we will do an educational piece and reach out to those in violation but are not receiving a fee, and let them know this increase is coming.”

Councilwoman Garrison asked, “Is it up to the business owners to clean up by the dumpsters?”

Ms. Lopez responded, “Yes.”

Councilwoman Sinor asked, “Waste Management Inc. does not go out and clean up what is around the dumpster?”

Ms. Lopez responded, “No. I believe when we send letters with pictures to the business owners, that will help them understand what should be done and what shouldn’t be done.”

Mayor Mouton commented, “In most cases, the managers and personnel of the businesses already know. The City is one of the last ones to get in on this. Everywhere else, it is industry norm.”

Councilman Patterson commented, “Will the new rates be given the customers?”

Mr. Stokes commented, “Yes. At the next Council meeting, we will have an ordinance changing the rates to reflect the new rates for our customers.”

Councilman Patterson asked, “In the past, did the Consumer Price Index go up like 3 or 4 percent a year?”

Mr. Stokes responded, “It averaged about 2 to 2.25 percent.”

Councilman Patterson asked, “The reason Waste Management Inc. is wanting to get away from this is because they are not recovering all the cost?”

Ms. Lopez responded, “That is correct.”

5. DISCUSSION OF ISSUES RELATING TO BIDS RECEIVED FOR THE DEER PARK EMS STATION – Emergency Services Director, Robert Hemminger gave an overview of the recently received bids for construction of the new Deer Park EMS Station. Mr. Hemminger provided a presentation on the process, current needs and design of the building, the low bid, and summarized the funding needed to complete the building. (Exhibits B1-B5)

Councilman Patterson asked, “When we set this up through the Type B Sales Tax, was it the intent to use the money for primarily capital or primarily operation expenses?”

Mr. Hemminger responded, "I can just speak to what it is being used for today. I would defer to the City Manager for that answer."

Mayor Mouton responded, "I do not think there was anything projected either way."

Councilman Patterson asked, "My point is, we are spending most of the revenue on operating expenses. In the future, if we want to do large capital projects, how is that going to be budgeted and where is the money going to come from?"

City Manager, Jay Stokes responded, "We have put more and more of our operating cost over there. It finishes in 10 years, and there is always the risk of it not renewing. At the same time, it is giving great relief to the General Fund. You have to monitor both sides of that."

Councilman Patterson commented, "I'm just trying to make the point though, that in the future, we will have to do something with capital projects, whatever it may be. We cannot assume we have money for those capital projects. It does have an impact of future financial planning."

Mr. Stokes responded, "Both now and in the future, we will have to watch both sides. The way we are positioned right now, it makes more sense to do it as we are."

Mayor Mouton commented, "There is no assumptions. It is all the driving aspect of service. We cannot afford to put this off. This is for the first responders and we need to make sure it is efficiently done."

Councilman Harrison asked, "In the architects estimates, why is there no allowance on the security system but the soft cost is extremely over what the other contractors bids are?"

Mr. Hemminger responded, "We use a proprietary security system with Lensec in all of our City buildings. Instead of trying to force the contractor to individually contact Lensec, or deal with other subcontractors who were going to try and integrate into our system, we just got a number and told them to use it as an allowance and asked them to work with Lensec to put the system in. The soft cost changed because over \$100,000 dollars has already been used in the architectural design of the building. That was funded out of last year's budget. There is \$150,000 remaining, primarily for the Architect and Teracon for inspections that will happen throughout construction."

6. DISCUSSION OF ISSUES RELATING TO TWO (2) CONTRACT AMENDMENTS BETWEEN THE CITY OF DEER PARK AND THE TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM (TESRS) – Emergency Services Director, Robert Hemminger gave an overview of the City of Deer Park participation in the Texas Emergency Services Retirement System for volunteer firefighters and EMS personnel. The retirement system is a defined benefit system in which the pension benefit is calculated based on a monthly contribution during the member's active service. The current monthly contribution is \$120 per member, per month. This contract amendment will increase the monthly contribution to \$132 per member, per month. This increase brings the Department up to the level that is consistent with other departments in our area

7. who also participate in this retirement system for their volunteer firefighters. The second amendment also establishes a “13th check” to be issued to retirees of the pension system. The TESRS system is a defined benefit program that does not have any form of COLA or other increase post-retirement, so the 13th check is a mechanism to give the retirees an increase in the form of one extra payment per year. The 13th check is issued to the retirees in December. This 13th check is a one-time payment, and will be authorized each year depending on the availability of funds. (Exhibits C1-C2)
8. DISCUSSION OF ISSUES RELATING TO THE QUARTERLY FINANCIAL REPORT FOR THE FISCAL YEAR 2017-18 THIRD QUARTER ENDING JUNE 30, 2018 – Finance Director Donna Todd gave an overview of the budget for the quarter highlighting the expenditures and revenues of each fund. (Exhibits D1-D6)
9. DISCUSSION OF ISSUES RELATING TO A PROPOSED PAX WATER MIXERS AND RESIDUAL CONTROL SYSTEM FOR PASADENA BOULEVARD WATER STORAGE TANKS – Nicholas Cook, Water Treatment Plant Supervisor gave an overview of the potential contract with PAX Water Technologies. An update was given on the effectiveness of the PAX System installed at the Coy Drive Water Tower last year. There is a need to construct a similar system at the Pasadena Boulevard water storage tanks. The new system costs \$162,600 and is included in the FY 2018-2019 Budget. (Exhibits E1-E3)
10. DISCUSSION OF ISSUES RELATING TO MEDICAL PLAN CHANGES EFFECTIVE 1/1/2019 AND EMPLOYEE CLINIC UPDATE – Human Resources Director, Bill Philibert gave an update of the medical plan changes effective 01/01/19 and the employee clinic. Mr. Philibert discussed changes to the City’s health insurance plan, which are to become effective January 1, 2019, to include a new employee clinic model and biometric screening employee cost differentials.
11. DISCUSSION OF ISSUES RELATING TO YOUTH LEAGUE THIRD PARTY TOURNAMENT FEES – Parks and Recreation Director, Charlie Sandberg gave an overview of the research done on third party usage of the youth athletic facilities. Issues discussed were field usage and regulations of the field, fees associated with field usage, and the tracking of fees. Third parties can go through the youth leagues. It is recommended to have the third party go through the Parks and Recreation Department. Several options pertaining to how to staff the fields to enforce the rules and regulations of the field usage have been discussed. A concept to protect the fields was also discussed. Closure of the fields during the Spring and Summer for a week is being looked at to help with the concept of protecting the fields. More assistance to monitor, regulate and keep all the leagues and tournaments in order is being proposed. Revenue currently goes to the youth organizations. Outside tournaments are welcomed, but funding from third parties would be ideal, due to repeated usage of the fields.

12. ADJOURN – Mayor Mouton adjourned the workshop meeting at 7:49 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton, Jr.
Mayor



City of Deer Park

710 E SAN AUGUSTINE
DEER PARK, TX 77536

Legislation Details (With Text)

File #: MIN 18-148 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 11/1/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of minutes of regular meeting for October 16, 2018.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MR_101618](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of minutes of regular meeting for October 16, 2018.

Summary:

Fiscal/Budgetary Impact:

None

Approval

CITY OF DEER PARK

77-

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1720th REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD IN CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON OCTOBER 16, 2018, AT 5:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

MAYOR
COUNCILWOMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILWOMAN

OTHER CITY OFFICIALS PRESENT:

JAY STOKES
GARY JACKSON
SONIA ACOSTA
JIM FOX

CITY MANAGER
ASSISTANT CITY MANAGER
DEPUTY CITY SECRETARY
CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the meeting to order at 7:30 p.m.
2. INVOCATION – The invocation was given by Councilman Patterson.
3. PLEDGE OF ALLEGIANCE – Councilwoman Sinor led the Pledge of Allegiance to the United States Flag and the Texas Flag.
4. PRESENTATION OF THE 2018 PARKS AND RECREATION COMMISSION AWARDS – Art Park Supervisor, Susan Mele presented Mike Freitag the 2018 Individual of the Year Award. Ms. Mele highlighted the volunteered hours Mr. Freitag has donated with the use of his own equipment to handle all of the projects since 1980 to current. Mr. Freitag has videotaped every Art Park Player Production and Jr. Art Park Player Production with his own equipment and has also created a library of the Art Park Players history. Mr. Freitag has also done the entire distribution of all copies of shows that the children's parents order.

Mrs. Mele commented, "Mike services not only to the Art Park Players group, but he serves this community and several organizations with a passion for Deer Park."

Parks and Recreation Director, Charlie Sandberg recognized the Parks and Recreation Commission members Georgette Ford, Jo Kiefer and T.J. Haight for their attendance.

Assistant Parks and Recreation Director, Jacob Zuniga presented the 2018 Parks and Recreation Business Award to Calpine Corporation in recognition of their contribution to the Deer Park Parks and Recreation Department.

Mr. Zuniga commented, "Having been a part of our Earth Day for three years and helping to beautify the City and reinforce our Parks, we felt Calpine was very deserving and we wanted to say "Thank You" on behalf of the City and the Deer Park Parks and Recreation Department. We look forward to continuing this partnership as we move into the future."

5. REVIEW HARRIS COUNTY'S METHOD OF DISTRIBUTION (MOD) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY (CDBG-DR) ROUND 1 FUNDS FOR THE HURRICANE HARVEY AND RECEIVE INPUT ON COMMUNITY NEEDS RESULTING FROM THE HURRICANE HARVEY AND THE PROJECTS NEEDED TO ASSIST WITH RECOVERY WITHIN THE CITY – Assistant City Manager Gary Jackson gave an overview of Harris County's Method of Distribution (MOD) for the Community Development Block Grant – Disaster Recovery (CDBG-DR) Round 1 funds for Hurricane Harvey.

Mr. Carl Ahrendt of Cobb Findley presented a presentation of the LMI areas.
Exhibit (A1-A3)

Mr. Ahrendt commented, "I just wanted to show you more than tell you, what areas will be involved in trying to get this grant for the City."

The public meeting was opened to the public for comments.

Mayor Mouton called for those desiring to speak.

- a. Michael McIntyre of Deer Park, commented, "You are talking about houses that didn't flood. My house flooded twice. I live on the corner of Wildwood and Louisiana. Can we widen the ditch between the golf course and the Westside Subdivision? It was widened a few years ago. There is right of way between San Augustine and Louisiana, 90% of that water flows towards the golf course which flows right towards my house. There is such a big flow, it goes across the street into my gutter and up three or four houses. The middle of the street does not flood. We have some drainage problems. The storm drainage on my side is caved in, I need to talk to someone about getting it fixed."

Mayor Mouton asked, "Are these streets Mr. McIntyre is talking about in these particular boundaries?"

Mr. Ahrendt responded, "These streets are not specifically within the LMI boundaries and would not be considered for this grant. I do know they were considered as part of one of the other programs but not for this grant money."

Mr. McIntyre commented, "You're talking about the houses on Center Street, those houses didn't flood. Seems like I would concern myself with the houses that flooded."

Assistant City Manager, Gary Jackson asked, "If 70% is required to be spent within the LMI, 30% could be spent outside the LMI. That percent could potentially be applied to Mr. McIntyre's drainage?"

Mayor Mouton commented, "Most of this specifically for a grant we are applying for that can be used for drainage. We have a total comprehensive review of the whole City right now that this grant would not be applicable to."

City Manager, Jay Stokes commented, "We are looking at 6 areas in the City. We have started in the area by Dabbs Elementary and the area west to South Campus High School. Your area is coming; it is one of the areas we will be looking at also."

Mayor Mouton commented, "We are working with this firm, but this is just a very isolated portion of funding that can only be used in a certain area. It is already on the radar."

- b. Marla Chandler, Deer Park, commented, "I live in the neighborhood west of the South Campus. I have lived there about 20 years and have had over \$300,000 worth of damage four different times.

City Manager, Jay Stokes commented, "We talked about your area in the last Council meeting. We are working on that."

Mayor Mouton closed the public meeting.

- 6. CONSENT CALENDAR – Motion was made by Councilman Harrison and seconded by Councilman Ginn to approve the consent calendar as follows:
 - a. Approval of minutes of workshop meeting on September 25, 2018.
 - b. Approval of minutes of workshop meeting on October 2, 2018.
 - c. Approval of minutes of special meeting on October 8, 2018.
 - d. Acceptance of the Quarterly Financial Report for the Fiscal Year 2017-2018 third quarter ending June 30, 2018.
 - e. Acceptance of completion of the Surface Water Treatment Plant Driveway Project.
 - f. Consideration of and action on an amendment to the agreement with the Crime Control Prevention District (CCPD) for Personnel, Vehicles, Facilities, Equipment, and

Investments.

- g. Consideration of and action on an amendment to the agreement with the Fire Control, Prevention and Emergency Medical Services District (FCPEMSD) for Personnel, Vehicles, Facilities, Equipment, and Investments.
- h. Consideration of and action on authorization to purchase Christmas light decorations from Inception Marketing Barcana through the TIPS Cooperative Purchasing Program.
- i. Authorization to seek bids for Dow Park Soccer Field parking lot.
- j. Consideration of and action on authorization to purchase Maxwell Center furniture from Gateway through The Cooperative Purchasing Network (TCPN).
- k. Authorization of two (2) contract amendments between the City of Deer Park and the Texas Emergency Services Retirement System (TESRS).
- l. Consideration of and action on a referral to the Planning and Zoning Commission to adopt the Community Service District into Section 7. Commercial Districts of the City Zoning Ordinance.
- m. Consideration of and action on submitting a request to the Board of Adjustment for a six (6) inch variance to the height of a privacy fence to be constructed along the east property line of the Deer Park City Hall.

Motion carried 6 to 0.

7. COMMENTS FROM AUDIENCE –

- a. Loree Dodd, 3009 Stacy, Deer Park commented, “I have lived here about 40 years. I came home from work on August 27, 2018 to find a notice on my door from Vaught Services saying they wanted the whole block to leave their back gate open and to bring in their pets to do sewer work. I did not know if this was legit or not because anyone can print out a notice like this in this day and age. It concerned me and I stayed home the next day and worked from home. I called the water and sewer department. They knew nothing about it and they transferred me to the City of Deer Park that also didn’t know so they transferred me again to Kathy Holcomb. I left a message for Wade Miller. I waited until 12:00 that afternoon because no one had called me back. I went down to City Hall and spoke with Larry Brotherton and got him to sign the notice. I actually spoke with the people who were doing the work and no one really spoke English. Wade Miller told me that those people were approved to be out there. I feel like the City should do more as far as letting the residents know who is in their backyard. There is so much going on with the world right now and Deer Park is not small anymore. People can do just about anything. I am an accountant and I am into details. A solution I feel would be good is to update the City website under the departments tab so that we can log into the system to see who is to be working in our backyards. Not only the City people that are hired to work in our backyards in the easements, it would be nice if

the cable companies could sign into the system somehow just to let us know. It could be done by parcel numbers of our properties to know for sure who is out there. This really concerns me, I just feel like all you would have to do is update the website. You have automatic water billing and you could send us an email in advance to let us know to expect people working in the backyard. I looked in the Messenger and there was nothing there either.”

Mayor Mouton commented, “From my perspective, you should have been concerned. I always suggest to call the Police to begin with and it will filter down. I apologize for anything that may have fallen through the cracks.”

8. CONSIDERATION OF AND ACTION ON ENTERING INTO AN AGREEMENT WITH PAX WATER TECHNOLOGIES – Motion was made by Councilwoman Sinor and seconded by Councilman Patterson to approve entering into an agreement with Pax Water Technologies. Motion carried 6 to 0.
9. CONSIDERATION OF AND ACTION ON EXERCISING A THREE (3) YEAR EXTENSION OF COMMERCIAL WASTE REMOVAL SERVICES WITH WASTE MANAGEMENT OF TEXAS, INC – Motion was made by Councilman Harrison and seconded by Councilwoman Garrison to approve the three year extension of commercial waste removal services with Waste Management of Texas, Inc. Motion carried 6 to 0.
10. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE TWO (2) REPLACEMENT FIELD MOWERS FROM TEXTRONGOLF THROUGH THE NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING PROGRAM – Motion was made by Councilman Patterson and seconded by Councilwoman Sinor to authorize the purchase of two (2) replacement field mowers from TextronGolf through the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program. Motion carried 6 to 0.
11. CONSIDERATION OF AND ACTION ON AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AS PART OF HARRIS COUNTY’S APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY (CDBG-DR) ROUND 1 FUNDS FOR HURRICANE HARVEY – Motion was made by Councilwoman Garrison and Councilwoman Sinor to authorize the submission of a grant application as part of Harris County’s application for Community Development Block Grant Disaster Recovery (CDBG-DR) Round 1 Funds for Hurricane Harvey. Motion carried 6 to 0.
12. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE EMERGENCY EQUIPMENT, GRAPHICS, AND ASSOCIATED SUPPLIES FOR NEW EMERGENCY SERVICES VEHICLES WITHIN THE FIRE DEPARTMENT AND FIRE MARSHAL’S OFFICE FROM FARRWEST THROUGH HGAC COOPERATIVE PURCHASING PROGRAM CONTRACT #EP 11-14 – Motion was made by Councilman Patterson and seconded by Councilman Ginn to authorize the purchase of emergency equipment, graphics, and associated supplies for new emergency services vehicles within

the Fire Department and Fire Marshal's Office from Farrwest through HGAC Cooperative Purchasing Program Contract #EP 11-14. Motion carried 6 to 0.

12. CONSIDERATION OF AND ACTION ON AN ORDINANCE APPOINTING THREE MEMBERS OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt on first and final reading of Ordinance No.4018, captioned as follows:

AN ORDINANCE APPOINTING THREE (3) BOARD MEMBERS OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION OF THE CITY OF DEER PARK, TEXAS, FOR A TERM OF TWO (2) YEARS; AND DECLARING AN EMERGENCY.

Motion carried 6 to 0.

13. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING SECTION 66-178, SCHEDULE G RELATING TO SCHOOL ZONES – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt on first and final reading of Ordinance No.4019, captioned as follows:

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

14. ADJOURN – Mayor Mouton adjourned the meeting at 8:11 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton, Jr.
Mayor



Legislation Details (With Text)

File #: TAXR 18-067 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Deere Credit Inc. in the amount of \$1,661.10 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Deere Credit Inc. in the amount of \$1,661.10 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Deere Credit Inc. in the total amount of \$1,661.10 due to a value decrease granted by Harris County Appraisal District on the 2006 Correction Roll #104 (Account #020-868-7).

Fiscal/Budgetary Impact:

None

Approve the tax refund to Deere Credit Inc.



Legislation Details (With Text)

File #: TAXR 18-068 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Pacific Life in the amount of \$10,620.00 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Pacific Life in the amount of \$10,620.00 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Pacific Life in the total amount of \$10,620.00 due to a value decrease granted by Harris County Appraisal District on the 2016 Correction Roll #23 (Account #135-309-001-0001).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Pacific Life.



Legislation Details (With Text)

File #: TAXR 18-069 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$987.35 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$987.35 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Fidelity National Title Agency Inc. in the total amount of \$987.35 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District on the 2016 Correction Roll #23 (Account #130-570-003-0025).

Fiscal/Budgetary Impact:

None

Approve the tax refund to Fidelity National Title Agency Inc.



Legislation Details (With Text)

File #: TAXR 18-070 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Center Drive Inc. in the amount of \$882.26 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Center Drive Inc. in the amount of \$882.26 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Center Drive Inc. in the total amount of \$882.26 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #046-225-000-0003).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Center Drive Inc.



Legislation Details (With Text)

File #: TAXR 18-071 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Sanwood Investments LP in the amount of \$3,967.04 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Sanwood Investments LP in the amount of \$3,967.04 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Sanwood Investments LP in the total amount of \$3,967.04 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #043-148-000-0001).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Sanwood Investments LP.



Legislation Details (With Text)

File #: TAXR 18-072 **Version:** 1 **Name:**

Type: Tax Refund **Status:** Agenda Ready

File created: 10/18/2018 **In control:** City Council

On agenda: 11/6/2018 **Final action:**

Title: Approval of tax refund to Patricia Boone in the amount of \$1,607.39 due to a value decrease granted by Harris County Appraisal District.

Sponsors: Finance

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Patricia Boone in the amount of \$1,607.39 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Patricia Boone in the total amount of \$1,607.39 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #119-248-001-0025).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Patricia Boone.



Legislation Details (With Text)

File #: TAXR 18-073 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay CMBS #2 LP in the amount of \$1,457.28 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay CMBS #2 LP in the amount of \$1,457.28 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay CMBS #2 LP in the total amount of \$1,457.28 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #125-102-001-0006).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay CMBS #2 LP.



Legislation Details (With Text)

File #: TAXR 18-074 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay Partners - 306 Deerwood Glen LP in the amount of \$1,813.72 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay Partners - 306 Deerwood Glen LP in the amount of \$1,813.72 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay Partners - 306 Deerwood Glen LP the total amount of \$1,813.72 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #132-886-000-0004).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay Partners - 306 Deerwood Glen LP.



Legislation Details (With Text)

File #: TAXR 18-075 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay Partners FG Deerwood Glen LP in the amount of \$2,834.12 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay Partners FG Deerwood Glen LP in the amount of \$2,834.12 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay Partners FG Deerwood Glen LP in the total amount of \$2,834.12 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #132-886-000-0009).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay Partners FG Deerwood Glen LP.



Legislation Details (With Text)

File #: TAXR 18-076 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay Real Estate Holdings #3 LP in the amount of \$3,333.60 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay Real Estate Holdings #3 LP in the amount of \$3,333.60 due to a value decrease granted by Harris County Appraisal District.

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay Real Estate Holdings #3 LP in the total amount of \$3,333.60 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #135-149-001-0001).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay Real Estate Holdings #3 LP.



Legislation Details (With Text)

File #: TAXR 18-077 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay Partners 208 Deerwood Glen LP in the amount of \$1,321.92 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay Partners 208 Deerwood Glen LP in the amount of \$1,321.92 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay Partners 208 Deerwood Glen LP in the total amount of \$1,321.92 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #135-149-001-0002).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay Partners 208 Deerwood Glen LP.



Legislation Details (With Text)

File #: TAXR 18-078 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay Partners 220 Deerwood Glen CT LP in the amount of \$1,440.00 due to value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay Partners 220 Deerwood Glen CT LP in the amount of \$1,440.00 due to value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay Partners 220 Deerwood Glen CT LP in the total amount of \$1,440.00 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #135-149-001-0004).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay Partners 220 Deerwood Glen CT LP.



Legislation Details (With Text)

File #: TAXR 18-079 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Ismael & Daisy Melissa Jimenez in the amount of \$551.62 due to a homestead exemption granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Ismael & Daisy Melissa Jimenez in the amount of \$551.62 due to a homestead exemption granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Ismael & Daisy Melissa Jimenez in the total amount of \$551.62 due to a homestead exemption granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #137-085-002-0017).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Ismael & Daisy Melissa Jimenez.



Legislation Details (With Text)

File #: TAXR 18-080 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay Partners Deerwood Office III LP in the amount of \$9,972.78 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay Partners Deerwood Office III LP in the amount of \$9,972.78 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay Partners Deerwood Office III LP in the total amount of \$9,972.78 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #137-801-001-0001).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay Partners Deerwood Office III LP.



Legislation Details (With Text)

File #: TAXR 18-081 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Lereta Tax Services in the amount of \$636.86 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Lereta Tax Services in the amount of \$636.86 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Lereta Tax Services in the total amount of \$636.86 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #114 -716-001-0004).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Lereta Tax Services.



Legislation Details (With Text)

File #: TAXR 18-082 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Stewart Title Company in the amount of \$1,052.59 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Stewart Title Company in the amount of \$1,052.59 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Stewart Title Company in the total amount of \$1,052.59 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #114-932-001-0012).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Stewart Title Company.



Legislation Details (With Text)

File #: TAXR 18-083 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Northeast R. E. Management LLC in the amount of \$598.41 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Northeast R. E. Management LLC in the amount of \$598.41 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Northeast R. E. Management LLC in the total amount of \$598.41 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #043-148-000-0257).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Northeast R. E. Management LLC.



Legislation Details (With Text)

File #: TAXR 18-084 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay CMBS #2 LP in the amount of \$777.60 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay CMBS #2 LP in the amount of \$777.60 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay CMBS #2 LP in the total amount of \$777.60 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #125-102-001-0004).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay CMBS #2 LP.



Legislation Details (With Text)

File #: TAXR 18-085 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$959.19 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$959.19 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Fidelity National Title Agency Inc. in the total amount of \$959.19 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #130-570-003-0025).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Fidelity National Title Agency Inc.



Legislation Details (With Text)

File #: TAXR 18-086 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,180.80 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,180.80 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay - CMBS #2 LP in the total amount of \$1,180.80 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #125-102-001-0003).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay - CMBS #2 LP.



Legislation Details (With Text)

File #: TAXR 18-087 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,367.47 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,367.47 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay - CMBS #2 LP in the total amount of \$1,367.47 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #125-10-001-0005).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay - CMBS #2 LP.



Legislation Details (With Text)

File #: TAXR 18-088 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,103.79 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,103.79 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay - CMBS #2 LP in the total amount of \$1,103.79 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #125-102-001-0008).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay - CMBS #2 LP.



Legislation Details (With Text)

File #: TAXR 18-090 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay - CMBS #5 LP in the amount of \$504.00 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay - CMBS #5 LP in the amount of \$504.00 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay - CMBS #5 LP in the total amount of \$504.00 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #132-886-000-0010).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay - CMBS #5 LP.



Legislation Details (With Text)

File #: TAXR 18-091 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Clay - CMBS #5 LP in the amount of \$1,158.12 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Clay - CMBS #5 LP in the amount of \$1,158.12 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Clay - CMBS #5 LP in the total amount of \$1,158.12 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #132-886-000-0011).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Clay - CMBS #5 LP.



Legislation Details (With Text)

File #: TAXR 18-092 **Version:** 1 **Name:**
Type: Tax Refund **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Approval of tax refund to Popp Hutcheson PLLC in the amount of \$3,222.94 due to a value decrease granted by Harris County Appraisal District.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Popp Hutcheson PLLC in the amount of \$3,222.94 due to a value decrease granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Popp Hutcheson PLLC in the total amount of \$3,222.94 due to a value decrease granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #124-798-002-0001).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Popp Hutcheson PLLC.



Legislation Details (With Text)

File #: TAXR 18-093 **Version:** 1 **Name:**

Type: Tax Refund **Status:** Agenda Ready

File created: 10/18/2018 **In control:** City Council

On agenda: 11/6/2018 **Final action:**

Title: Approval of tax refund to Carla D Ann Lowrance Trust in the amount of \$660.39 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District.

Sponsors: Finance

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Approval of tax refund to Carla D Ann Lowrance Trust in the amount of \$660.39 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District.

Summary:

Section 31.11 of the Texas Property Tax Code requires that all refunds exceeding \$500 be approved by the governing body prior to the issuance of a check to the payee. The following refund is pending:

Carla D Ann Lowrance Trust in the total amount of \$660.39 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District on the 2017 Correction Roll #12 (Account #120-413-000-0007).

Fiscal/Budgetary Impact:

None.

Approve the tax refund to Carla D Ann Lowrance Trust.



Legislation Details (With Text)

File #: AUT 18-104 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Authorization 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
11/6/2018	1	City Council		

Authorization 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 Wington 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."

On October 22, 2018, the DPCDC Board met and recommended that Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming be terminated.

Fiscal/Budgetary Impact:

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

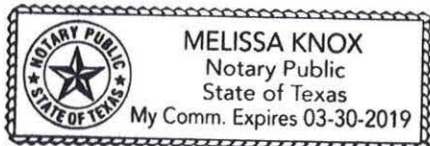
COUNTY OF HARRIS

} 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 18-109 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Authorization 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
11/6/2018	1	City Council		

Authorization 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 with Halff Associates 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).

The DPCDC met on October 22, 2018 and 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:

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 #: RPT 18-049 **Version:** 1 **Name:**
Type: Report **Status:** Agenda Ready
File created: 10/22/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Acceptance of Quarterly Investment Report for the Quarter Ended September 30, 2018.
Sponsors:
Indexes:
Code sections:
Attachments: [2018 4Q Investment Report](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Acceptance of Quarterly Investment Report for the Quarter Ended September 30, 2018.

Summary: Chapter 2, Administration, Article VII (Finance), All of Division 2 (Investment Policy), Section 2-274 Reporting, of the Code of Ordinances of the City of Deer Park, requires the Investment Officers to prepare and submit to City Council an investment report no less than on a quarterly basis. This requirement is in compliance with the Texas Public Funds Investment Act, V.T.C.A., Government Code Ch. 2256 as amended (the "Act"). The City's Investment Officers have worked with the Investment Advisor to prepare and have signed this report for the quarter ended September 30, 2018.

At September 30, 2018, all City funds were held in various depository accounts or in accounts at TexPool or TexSTAR, which are local government investment pools authorized by the Investment Policy. Both pools continue to maintain their AAAM rating by Standard & Poor's, which is the highest rating a local government investment pool can achieve.

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

Cash in Wells Fargo (Depository Bank)	\$ 18,934,073
Money Market Accounts	2,052,546
Certificates of Deposit	33,407,676
TexPool	19,079,431
TexSTAR	23,475,599
Total Book Value	\$ 96,949,325

Working with the City's investment advisor, the City has diversified the portfolio during the last few years with current investments of \$35,460,222 in various depository banks through money market accounts and certificates of deposit. These investments represent about 36.6 percent of the portfolio.

These depository investments are earning between 1.45% and 2.79%. Comparatively, rates in the investment pools averaged 1.9351% and 1.9395% for the quarter in TexPool and TexSTAR, respectively. The new depository investments have increased investment earnings, and the City continues to review and evaluate investment opportunities for safety, liquidity, and yield.

At the end of the fourth quarter of Fiscal Year 2017-2018, investments in TexPool totaled \$19,079,431, which is a net decrease of \$4,673,098 from the previous quarter. This net decrease reflects withdrawals of approximately \$4,823,356 to cover bond fund expenditures offset by \$150,258 of interest earnings for the quarter. The TexPool funds earned an average 1.9351% for the quarter (July - September 2018) or 20.27 basis points higher than the average for the previous quarter (note: a basis point is equal to 1/100 of a percentage point so 0.01 equals 1 basis point). On September 30, 2018, TexPool was earning 2.1244%.

Investments in TexSTAR at the end of the fourth quarter of the fiscal year totaled \$23,475,599, which is a net decrease of \$2,598,527 from the previous quarter. This net decrease reflects withdrawals of approximately \$2,720,975 to cover bond fund expenditures offset by \$122,448 of interest earnings for the quarter. The TexSTAR funds earned an average 1.9395% for the quarter or 21.08 basis points higher than the average for the previous quarter. On September 30, 2018, TexSTAR was earning 2.1735%.

The federal funds rate, still shown as a range, was last increased on September 26, 2018 to 2.00% - 2.25% (from the previous 1.75% - 2.00%). As a result of market changes, the City continues to see higher interest earnings on the portfolio investments. The 1.67 weighted average yield for the fourth quarter ended September 30, 2018 is below the 2.08% rolling average yield of the three-month U.S. Treasury Bill for the quarter. The City's weighted average yield for the fiscal year-to-date at September 30, 2018 is 1.41%, which is 8.0 basis points higher than the previous quarter. Currently about 19.5 percent of the portfolio is in the City's depository bank.

Fiscal/Budgetary Impact:

N/A.

Accept the Investment Report for the Quarter Ended September 30, 2018.



QUARTERLY INVESTMENT REPORT

For the Quarter Ended

September 30, 2018

Prepared by
Valley View Consulting, L.L.C. (1)

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

City Manager

A handwritten signature in black ink, appearing to read "James J. Holt".

Assistant City Manager

A handwritten signature in black ink, appearing to read "Gary Jackson".

Director of Finance

A handwritten signature in black ink, appearing to read "Anne Dodd".

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

City of Deer Park, Texas **Annual Comparison of Portfolio Performance**

FYE Results by Investment Category:

September 30, 2017				September 30, 2018			
Asset Type	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value	
MMA/NOW	0.67%	\$ 31,249,561.33	\$ 31,249,561.33	0.35%	\$ 20,986,619.41	\$ 20,986,619.41	
Pools	1.03%	54,798,070.35	54,798,070.35	2.00%	42,555,029.82	42,555,029.82	
CDS/Securities	1.22%	23,146,991.78	23,146,991.78	2.08%	33,407,675.41	33,407,675.41	
Totals		<u>\$109,194,623.46</u>	<u>\$109,194,623.46</u>		<u>\$ 96,949,324.64</u>	<u>\$ 96,949,324.64</u>	
Fourth Quarter-End Yield	0.97%			1.67%			
Average Quarter-End Yields (1):							
2017 Fiscal Year				2018 Fiscal Year			
Deer Park	0.70%			1.41%			
Rolling Three Month Treasury	0.75%			1.69%			
Rolling Six Month Treasury	0.78%			1.73%			
TexPool	0.74%			1.62%			
Fiscal YTD Interest Earnings	\$ 757,751.49			\$ 1,542,841.24			

(1) Average Quarterly Yield calculated using quarter-end report average yield and adjusted book value.

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

Strategy Summary

Quarter End Results by Investment Category:

Asset Type	June 30, 2018		September 30, 2018		
	Book Value	Market Value	Book Value	Market Value	Ave. Yield
MMMA/NOW	\$ 30,398,199.39	\$ 30,398,199.39	\$ 20,986,619.41	\$ 20,986,619.41	0.35%
LGIPs	49,826,655.51	49,826,655.51	42,555,029.82	42,555,029.82	2.00%
CDs/Securities	29,785,032.56	29,785,032.56	33,407,675.41	33,407,675.41	2.08%
Totals	\$110,009,887.46	\$ 110,009,887.46	\$ 96,949,324.64	\$ 96,949,324.64	

Current Quarter Average Yield (1)

Total Portfolio	1.67%
Rolling Three Month Treasury	2.08%
Rolling Six Month Treasury	2.15%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio	1.41%
Rolling Three Month Treasury	1.69%
Rolling Six Month Treasury	1.73%
Quarter End TexPool Yield	1.62%
Quarter End TexSTAR Yield	1.63%

Interest Earnings

Quarterly Interest Income	\$ 438,175.48	Approximate
Year-to-date Interest Income	\$ 1,542,841.24	Approximate

Note: Bank balances represent pooled cash accounts (General Fund, Accounts Payable and Payroll), plus the CCPD, FCPPEMSD, DPCCDC, and Series 2002 TWDB accounts. Cash balances are unaudited.

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

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

Investment Holdings
September 30, 2018

Description	Ratings	Coupon/ Maturity		Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (days)	Yield
		Discount	Date							
Wells Fargo #2800 MMA		0.17%	10/01/18	09/30/18	\$ 12,067,336.38	\$ 12,067,336.38	1.00	\$ 12,067,336.38	1	0.17%
Wells Fargo #9865 MMA		0.16%	10/01/18	09/30/18	1,702,041.99	1,702,041.99	1.00	1,702,041.99	1	0.16%
Wells Fargo #9824 MMA		0.16%	10/01/18	09/30/18	1,933,204.08	1,933,204.08	1.00	1,933,204.08	1	0.16%
Wells Fargo #6267 MMA		0.15%	10/01/18	09/30/18	3,231,490.80	3,231,490.80	1.00	3,231,490.80	1	0.15%
Green Bank MMA		2.11%	10/01/18	09/30/18	2,052,546.16	2,052,546.16	1.00	2,052,546.16	1	2.11%
TexPool	AAAm	2.00%	10/01/18	09/30/18	19,079,430.63	19,079,430.63	1.00	19,079,430.63	1	2.00%
TexSTAR	AAAm	2.00%	10/01/18	09/30/18	23,475,599.19	23,475,599.19	1.00	23,475,599.19	1	2.00%
LegacyTexas Bank CD		1.50%	10/01/18	07/03/17	5,141,500.04	5,141,500.04	100.00	5,141,500.04	1	1.51%
LegacyTexas Bank CD		1.45%	10/02/18	10/02/17	6,080,334.05	6,080,334.05	100.00	6,080,334.05	2	1.46%
Southside Bank CD		1.83%	11/19/18	01/19/18	3,027,286.15	3,027,286.15	100.00	3,027,286.15	50	1.84%
Southside Bank CD		1.58%	02/01/19	11/01/17	1,530,433.17	1,530,433.17	100.00	1,530,433.17	124	1.59%
LegacyTexas Bank CD		2.20%	03/01/19	03/01/18	3,538,996.25	3,538,996.25	100.00	3,538,996.25	152	2.22%
East West Bank CD		2.30%	04/02/19	04/02/18	2,528,835.36	2,528,835.36	100.00	2,528,835.36	184	2.33%
East West Bank CD		2.44%	05/01/19	05/01/18	2,525,700.20	2,525,700.20	100.00	2,525,700.20	213	2.47%
BTH Bank CD		2.52%	06/01/19	06/01/18	2,016,899.30	2,016,899.30	100.00	2,016,899.30	244	2.55%
East West Bank CD		2.75%	07/22/19	09/21/18	2,501,884.20	2,501,884.20	100.00	2,501,884.20	295	2.79%
East West Bank CD		2.79%	10/21/19	09/21/18	2,501,911.62	2,501,911.62	100.00	2,501,911.62	386	2.83%
LegacyTexas Bank CD		2.75%	12/02/19	06/01/18	2,013,895.07	2,013,895.07	100.00	2,013,895.07	428	2.78%
					<u>\$ 96,949,324.64</u>	<u>\$ 96,949,324.64</u>				
							<u>\$ 96,949,324.64</u>	<u>52</u>	<u>1.67%</u>	
									(1)	(2)

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

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

Book Value Comparison

Description	Coupon/ Discount	Maturity Date	June 30, 2018				September 30, 2018			
			Par Value	Book Value	Purchases/ Adjustments	Sales/Adjus/ Call/Maturity	Par Value	Book Value		
Wells Fargo #2800 MMA	0.17%	10/01/18	\$ 9,839,577.19	\$ 9,839,577.19	\$ 2,227,759.19	\$ -	\$ 12,067,336.38	\$ 12,067,336.38		
Wells Fargo #9865 MMA	0.16%	10/01/18	1,631,799.56	1,631,799.56	70,242.43	-	1,702,041.99	1,702,041.99		
Wells Fargo #9824 MMA	0.16%	10/01/18	2,018,141.06	2,018,141.06	-	(84,936.98)	1,933,204.08	1,933,204.08		
Wells Fargo #5314 MMA	0.00%	10/01/18	6.61	6.61	-	(6.61)	-	-		
Wells Fargo #6267 MMA	0.15%	10/01/18	2,616,872.02	2,616,872.02	614,618.78	-	3,231,490.80	3,231,490.80		
Green Bank MMA	2.11%	10/01/18	2,041,790.95	2,041,790.95	10,755.21	-	2,052,546.16	2,052,546.16		
NexBank MMA	0.00%	10/01/18	12,250,012.00	12,250,012.00	-	(12,250,012.00)	-	-		
TexPool	2.00%	10/01/18	23,752,529.32	23,752,529.32	-	(4,673,098.69)	19,079,430.63	19,079,430.63		
TexSTAR	2.00%	10/01/18	26,074,126.19	26,074,126.19	-	(2,598,527.00)	23,475,599.19	23,475,599.19		
Southside Bank CD	1.25%	07/02/18	1,518,838.08	1,518,838.08	-	(1,518,838.08)	-	-		
LegacyTexas Bank CD	1.50%	10/01/18	5,122,109.84	5,122,109.84	19,390.20	-	5,141,500.04	5,141,500.04		
LegacyTexas Bank CD	1.45%	10/02/18	6,058,165.72	6,058,165.72	22,168.33	-	6,080,334.05	6,080,334.05		
Southside Bank CD	1.83%	11/19/18	3,013,536.99	3,013,536.99	13,749.16	-	3,027,286.15	3,027,286.15		
LegacyTexas Bank CD	1.58%	02/01/19	1,524,362.45	1,524,362.45	6,070.72	-	1,530,433.17	1,530,433.17		
LegacyTexas Bank CD	2.20%	03/01/19	3,519,444.11	3,519,444.11	19,552.14	-	3,538,996.25	3,538,996.25		
East West Bank CD	2.30%	04/02/19	2,514,217.91	2,514,217.91	14,617.45	-	2,528,835.36	2,528,835.36		
East West Bank CD	2.44%	05/01/19	2,510,214.99	2,510,214.99	15,485.21	-	2,525,700.20	2,525,700.20		
BTH Bank CD	2.52%	06/01/19	2,000,000.00	2,000,000.00	16,899.30	-	2,016,899.30	2,016,899.30		
East West Bank CD	2.75%	07/22/19	-	-	2,501,884.20	-	2,501,884.20	2,501,884.20		
East West Bank CD	2.79%	10/21/19	-	-	2,501,911.62	-	2,501,911.62	2,501,911.62		
LegacyTexas Bank CD	2.75%	12/02/19	2,004,142.47	2,004,142.47	9,752.60	-	2,013,895.07	2,013,895.07		
TOTAL			\$ 110,009,887.46	\$ 110,009,887.46	\$ 8,064,856.54	\$(21,125,419.36)	\$ 96,949,324.64	\$ 96,949,324.64		

Market Value Comparison

June 30, 2018						September 30, 2018			
Description	Coupon/ Discount	Maturity Date	Par Value	Market Value	Qtr to Qtr Change	Par Value	Market Value		
Wells Fargo #2800 MMA	0.17%	10/01/18	\$ 9,839,577.19	\$ 9,839,577.19	\$ 2,227,759.19	\$ 12,067,336.38	\$ 12,067,336.38		
Wells Fargo #9865 MMA	0.16%	10/01/18	1,631,799.56	1,631,799.56	70,242.43	1,702,041.99	1,702,041.99		
Wells Fargo #9824 MMA	0.16%	10/01/18	2,018,141.06	2,018,141.06	(84,936.98)	1,933,204.08	1,933,204.08		
Wells Fargo #5314 MMA	0.00%	10/01/18	6.61	6.61	(6.61)	—	—		
Wells Fargo #6267 MMA	0.15%	10/01/18	2,616,872.02	2,616,872.02	614,618.78	3,231,490.80	3,231,490.80		
Green Bank MMA	2.11%	10/01/18	2,041,790.95	2,041,790.95	10,755.21	2,052,546.16	2,052,546.16		
NexBank MMA	0.00%	10/01/18	12,250,012.00	12,250,012.00	(12,250,012.00)	—	—		
TexPool	2.00%	10/01/18	23,752,529.32	23,752,529.32	(4,673,098.69)	19,079,430.63	19,079,430.63		
TexSTAR	2.00%	10/01/18	26,074,126.19	26,074,126.19	(2,598,527.00)	23,475,599.19	23,475,599.19		
Southside Bank CD	1.25%	07/02/18	1,518,838.08	1,518,838.08	(1,518,838.08)	—	—		
LegacyTexas Bank CD	1.50%	10/01/18	5,122,109.84	5,122,109.84	19,390.20	5,141,500.04	5,141,500.04		
LegacyTexas Bank CD	1.45%	10/02/18	6,058,165.72	6,058,165.72	22,168.33	6,080,334.05	6,080,334.05		
Southside Bank CD	1.83%	11/19/18	3,013,536.99	3,013,536.99	13,749.16	3,027,286.15	3,027,286.15		
Southside Bank CD	1.58%	02/01/19	1,524,362.45	1,524,362.45	6,070.72	1,530,433.17	1,530,433.17		
LegacyTexas Bank CD	2.20%	03/01/19	3,519,444.11	3,519,444.11	19,552.14	3,538,996.25	3,538,996.25		
East West Bank CD	2.30%	04/02/19	2,514,217.91	2,514,217.91	14,617.45	2,528,835.36	2,528,835.36		
East West Bank CD	2.44%	05/01/19	2,510,214.99	2,510,214.99	15,485.21	2,525,700.20	2,525,700.20		
BTH Bank CD	2.52%	06/01/19	2,000,000.00	2,000,000.00	16,899.30	2,016,899.30	2,016,899.30		
East West Bank CD	2.75%	07/22/19	—	—	2,501,884.20	2,501,884.20	2,501,884.20		
East West Bank CD	2.79%	10/21/19	—	—	2,501,911.62	2,501,911.62	2,501,911.62		
LegacyTexas Bank CD	2.75%	12/02/19	2,004,142.47	2,004,142.47	9,752.60	2,013,895.07	2,013,895.07		
TOTAL			\$ 110,009,887.46	\$ 110,009,887.46	\$ (13,060,562.82)	\$ 96,949,324.64	\$ 96,949,324.64		

Allocation
September 30, 2018

Book & Market Value

	Total	Pooled Cash	General	Capital Projects & Improvements	Crime Control District	Debt Service Fund
Wells Fargo MMA	\$ 18,934,073.25	\$ 12,067,336.38	\$ -	\$ -	\$ 1,702,041.99	\$ -
Green Bank MMA	2,052,546.16		2,052,546.16			
TexPool	19,079,430.63		11,026,240.35	3,972,591.92		1,936,518.00
TexSTAR	23,475,599.19		2,567,149.16	20,908,450.03		
10/01/18-LegacyTexas Bank CD	5,141,500.04		5,141,500.04			
10/02/18-LegacyTexas Bank CD	6,080,334.05		6,080,334.05			
11/19/18-Southside Bank CD	3,027,286.15		3,027,286.15			
02/01/19-Southside Bank CD	1,530,433.17		1,530,433.17			
03/01/19-LegacyTexas Bank CD	3,538,996.25		3,538,996.25			
04/02/19-East West Bank CD	2,528,835.36		2,528,835.36			
05/01/19-East West Bank CD	2,525,700.20		2,525,700.20			
06/01/19-BTH Bank CD	2,016,899.30		2,016,899.30			
07/22/19-East West Bank CD	2,501,884.20		2,501,884.20			
10/21/19-East West Bank CD	2,501,911.62		2,501,911.62			
12/02/19-LegacyTexas Bank CD	2,013,895.07		2,013,895.07			
Total	\$ 96,949,324.64	\$ 12,067,336.38	\$ 49,053,611.08	\$ 24,881,041.95	\$ 1,702,041.99	\$ 1,936,518.00

Allocation
September 30, 2018

(Continued)

Book & Market Value

	East Boulevard Fund	Fire Control District	Street Assessments	Water & Sewer	Community Development Corporation	Senior Citizens Fund	Special Revenue (Police)
Wells Fargo MMA	\$ -	\$ 1,933,204.08	\$ -	\$ -	\$ 3,231,490.80	\$ -	\$ -
Green Bank MMA							
TexPool	27,020.03		76,497.09	1,888,987.97		114,090.59	37,484.68
TexSTAR							
10/01/18-LegacyTexas Bank CD							
10/02/18-LegacyTexas Bank CD							
11/19/18-Southside Bank CD							
02/01/19-Southside Bank CD							
03/01/19-LegacyTexas Bank CD							
04/02/19-East West Bank CD							
05/01/19-East West Bank CD							
06/01/19-BTH Bank CD							
07/22/19-East West Bank CD							
10/21/19-East West Bank CD							
12/02/19-LegacyTexas Bank CD							
Total	\$ 27,020.03	\$ 1,933,204.08	\$ 76,497.09	\$ 1,888,987.97	\$ 3,231,490.80	\$ 114,090.59	\$ 37,484.68

Allocation
June 30, 2018

Book & Market Value

	Total	Pooled Cash	General	Capital Projects & Improvements	Crime Control District	Debt Service Fund
Wells Fargo MMA	\$ 16,106,396.44	\$ 9,839,577.19	\$ -	\$ 6.61	\$ 1,631,799.56	\$ -
Green Bank MMA	2,041,790.95		2,041,790.95			
NexBank MMA	12,250,012.00		12,250,012.00			
TexPool	23,752,529.32		10,972,651.59	8,691,994.81		1,962,136.24
TexSTAR	26,074,126.19		2,554,645.40	23,519,480.79		
07/02/18-Southside Bank CD	1,518,838.08		1,518,838.08			
10/01/18-LegacyTexas Bank CD	5,122,109.84		5,122,109.84			
10/02/18-LegacyTexas Bank CD	6,058,165.72		6,058,165.72			
11/19/18-Southside Bank CD	3,013,536.99		3,013,536.99			
02/01/19-Southside Bank CD	1,524,362.45		1,524,362.45			
03/01/19-LegacyTexas Bank CD	3,519,444.11		3,519,444.11			
04/02/19-East West Bank CD	2,514,217.91		2,514,217.91			
05/01/19-East West Bank CD	2,510,214.99		2,510,214.99			
06/01/19-BTH Bank CD	2,000,000.00		2,000,000.00			
12/02/19-LegacyTexas Bank CD	2,004,142.47		2,004,142.47			
Total	\$ 110,009,887.46	\$ 9,839,577.19	\$ 57,604,132.50	\$ 32,211,482.21	\$ 1,631,799.56	\$ 1,962,136.24

Allocation
June 30, 2018

(Continued)

Book & Market Value

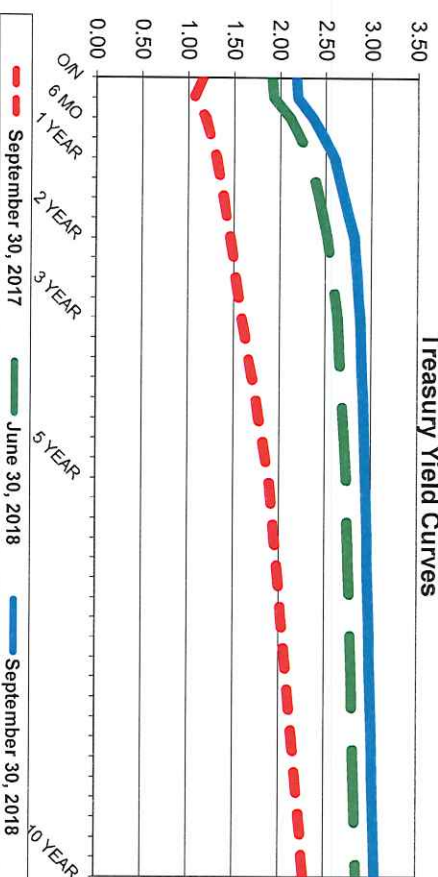
	East Boulevard Fund	Fire Control District	Street Assessments	Water & Sewer	Community Development Corporation	Senior Citizens Fund	Special Revenue (Police)
Wells Fargo MMA	\$ -	\$ 2,018,141.06	\$ -	\$ -	\$ 2,616,872.02	\$ -	\$ -
Green Bank MMA							
NexBank MMA							
TexPool	27,282.54		76,125.28	1,879,807.30		113,536.14	28,995.42
TexSTAR							
07/02/18-Southside Bank CD							
10/01/18-LegacyTexas Bank CD							
10/02/18-LegacyTexas Bank CD							
11/19/18-Southside Bank CD							
02/01/19-Southside Bank CD							
03/01/19-LegacyTexas Bank CD							
04/02/19-East West Bank CD							
05/01/19-East West Bank CD							
06/01/19-BTH Bank CD							
12/02/19-LegacyTexas Bank CD							
Total	\$ 27,282.54	\$ 2,018,141.06	\$ 76,125.28	\$ 1,879,807.30	\$ 2,616,872.02	\$ 113,536.14	\$ 28,995.42

Economic Overview

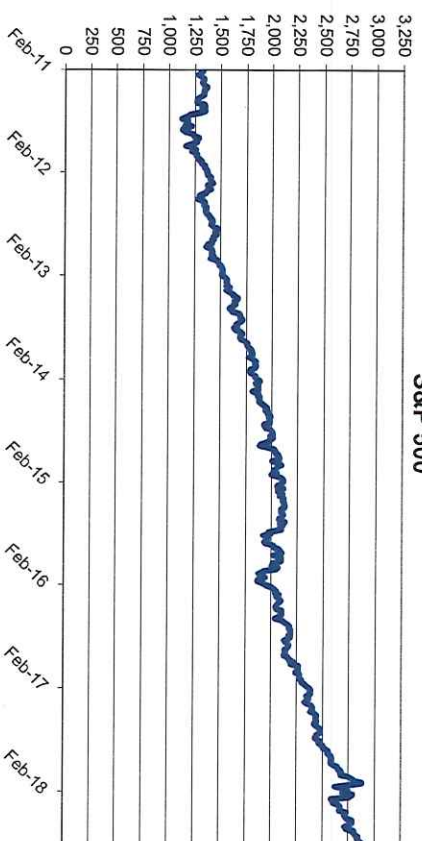
9/30/2018

The Federal Open Market Committee (FOMC) increased the Fed Funds target range to 2.00% - 2.25% (Effective Fed Funds are trading +/-2.18%). Additional range increases are still projected for Dec 2018 and 2019. Gradual Federal Reserve Bank portfolio reduction continues by limiting reinvestment of maturing holdings. Second Quarter grew 4.2% (final estimate). Unemployment continues to strong levels. West Texas Intermediate Crude oil increased above +/\$70. The Stock Markets reached new highs. Consumer Confidence is strong. Personal Income is improving. The flattening yield curve may or may not impact long range FOMC actions.

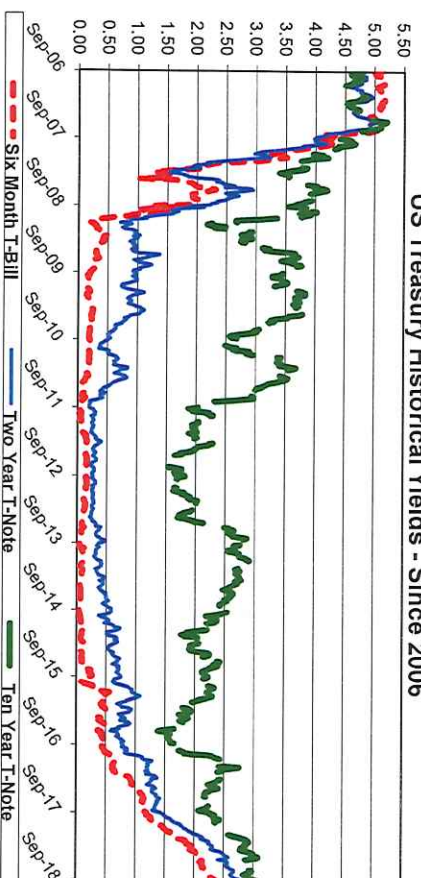
Treasury Yield Curves



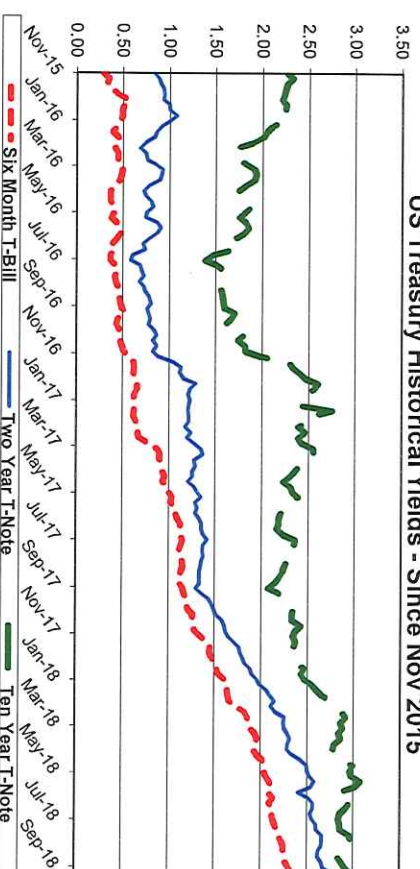
S&P 500



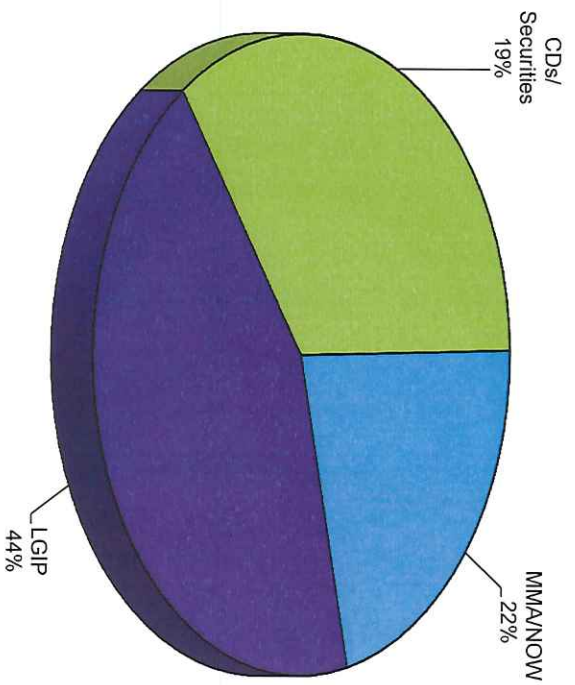
US Treasury Historical Yields - Since 2006



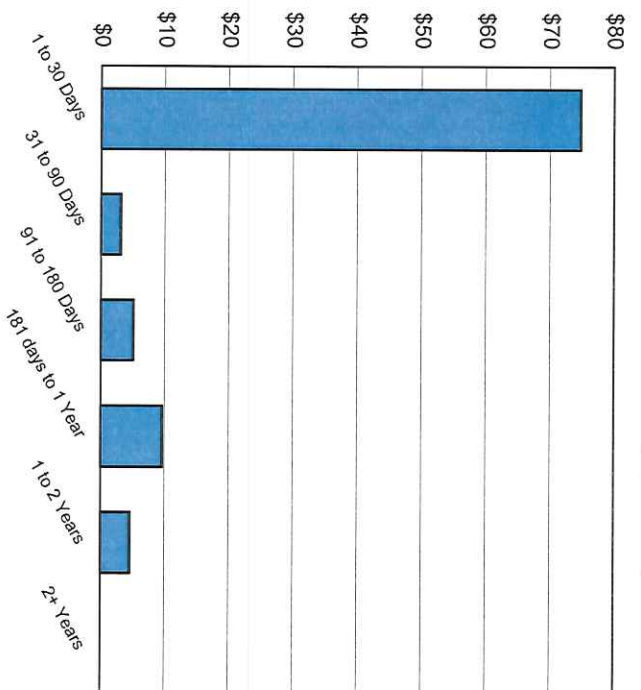
US Treasury Historical Yields - Since Nov 2015



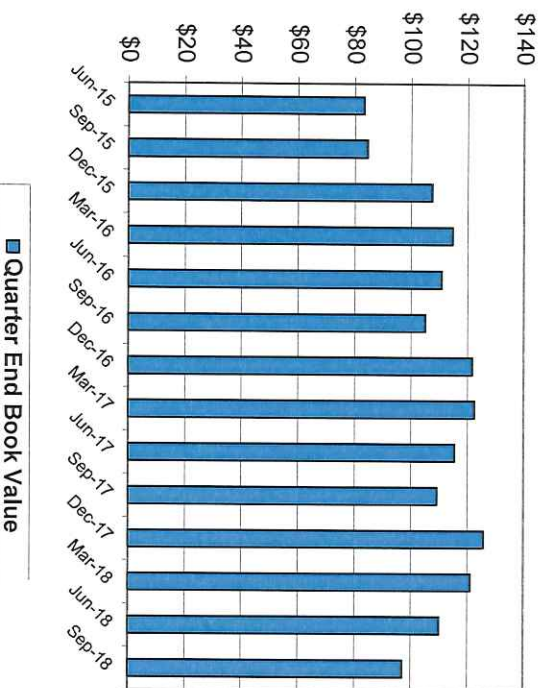
Portfolio Composition



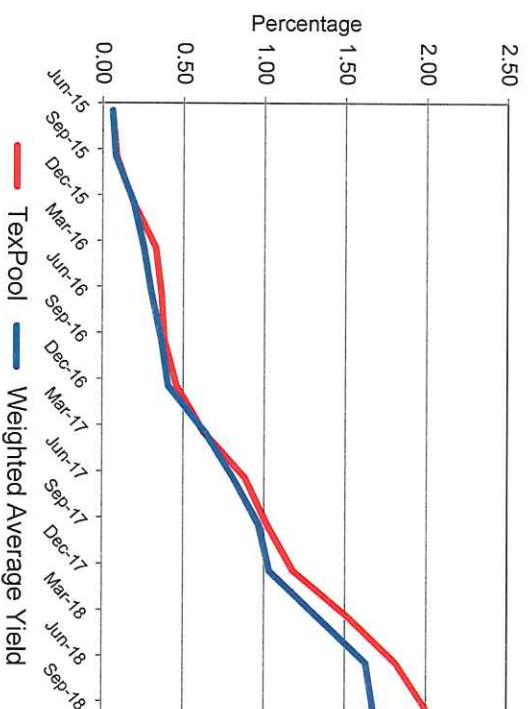
Distribution by Maturity (Millions)



Total Portfolio (Millions)



Total Portfolio Performance





Legislation Details (With Text)

File #: RPT 18-051 **Version:** 1 **Name:**
Type: Report **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Acceptance of the Deer Park Community Development Corporation's quarterly reports for the period of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018.
Sponsors: City Manager's Office, Finance, Parks & Recreation
Indexes:
Code sections:
Attachments: [3rd Q Report 072318 \(cumulative\)](#)
[DPCDC Qtr Report - 9.30.18 \(cumulative\)](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Acceptance of the Deer Park Community Development Corporation's quarterly reports for the period of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018.

Summary:

At its quarterly meetings, the Deer Park Community Development Corporation approves a quarterly activity report, detailing the projects and work accomplished during the previous quarter. This report is reviewed by the Board by the end of the month following the end of each quarter and then submitted to City Council. The attached reports are for the periods of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018.

Fiscal/Budgetary Impact:

N/A.

Accept the Deer Park Community Development Corporation's quarterly reports for the period of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018.

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)**

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 #: RFP 18-010 **Version:** 1 **Name:**
Type: Request for Proposal **Status:** Agenda Ready
File created: 10/30/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Authorization on issuing a Request for Proposals (RFPs) for a water and sewer rate study.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Authorization on issuing a Request for Proposals (RFPs) for a water and sewer rate study.

Summary:

The City is requesting authorization to seek proposals from qualified consultants to conduct a comprehensive Water and Sewer Rate Study. The intent of the study is to independently assess and evaluate the City's existing water and sewer rates using financial and consumption information and provide recommendations for water and sewer rates for all customer classes. The objective of the study is to adequately fund water and sewer utility operations, capital costs, and debt service while minimizing rates to the greatest degree possible.

Fiscal/Budgetary Impact:

\$50,000 was budgeted in the FY 2018-2019 Budget for this purpose.

Authorize issuance of a Request for Proposals (RFPs) for a water and sewer rate study.



Legislation Details (With Text)

File #: AUT 18-101 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/24/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Authorization to purchase an expansion shelf for the Nimble storage device from Datavox via the Texas Department of Information Resources. (DIR)

Sponsors:

Indexes:

Code sections:

Attachments: [Capital Form.pdf](#)
[10-9-18 Updated Nimble Quote DVXQ9579.pdf](#)
[1295 - City of Deer Park IT0020.pdf](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Authorization to purchase an expansion shelf for the Nimble storage device from Datavox via the Texas Department of Information Resources. (DIR)

Summary:

Upgrade Nimble SAN from 84TB to 210TB. This additional storage is required in order to accommodate expected growth over the next 4-5 years.

This is a purchase through the Texas Department of Information Resources (DIR). The Texas DIR Contract Number is: DIR-TSO-2660. The Datavox Texas DIR Vendor Number is: 176-025-1479-000.

Fiscal/Budgetary Impact:

The cost is \$99,506.62. \$107,600.00 is included in FY 2018-2019 Budget Acct. #10-200-4904

Approve

CAPITAL Form

Fiscal Year 2018-2019 Budget

200 - IT Services

Capital Outlay	G/L Account Number	FY 18-19 Request	Brief Description / Justification
Machinery and Equipment	10-200-4904	\$ 107,600	Upgrade Nimble SAN from 84TB to 210TB This additional storage is required in order to accommodate expected growth over the next 4-5 years.

Embedded Secure Document

The file <https://cityofdeerpark.legistar.com/View.ashx?M=F&ID=6699010&GUID=DCD42CE6-43AB-4C4E-A2AD-202CA33E2D68> is a secure document that has been embedded in this document. Double click the pushpin to view.



CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

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

DataVox, Inc.
Houston, TX United States

Certificate Number:
2016-129347

Date Filed:
10/26/2016

Date Acknowledged:

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

City of Deer Park

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

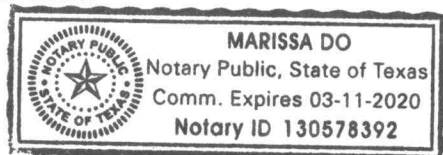
IT0020
Nimble SAN for Network Storage and Backup

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

5 Check only if there is NO Interested Party.



6 AFFIDAVIT



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

Steve Ferguson

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Steve Ferguson, this the 26th day of October, 2016, to certify which, witness my hand and seal of office.

M. Do

Signature of officer administering oath

Marissa Do

Printed name of officer administering oath

Notary

Title of officer administering oath



Legislation Details (With Text)

File #: ORD 18-089 **Version:** 1 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 10/12/2018 **In control:** City Council

On agenda: 11/6/2018 **Final action:**

Title: Consideration of and action on an ordinance authorizing the issuance and sale of the City of Deer Park, Texas, Certificates of Obligation, Series 2018; levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto.

Sponsors: City Manager's Office

Indexes:

Code sections:

Attachments: [2018 CO - Draft Ordinance 11.06.18](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance authorizing the issuance and sale of the City of Deer Park, Texas, Certificates of Obligation, Series 2018; levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto.

Summary: As included in the FY 2018-2019 Budget and in accordance with Resolution No. 2018-12 authorizing publication of the City's intention to issue Certificates of Obligation, the City plans to proceed with the issuance of Certificates of Obligation, Series 2018. Proceeds from these certificates are planned for repair and renovation projects on the City's water treatment plant, rehabilitation and construction projects on the City's waterworks and sanitary sewer systems, and rehabilitation of a ground storage tank. The related professional services for these projects and the costs of issuance will also be funded from the proceeds of the Certificates.

The attached ordinance, which authorizes the issuance and sale of the Certificates, is in draft form since the pricing of the Certificates of Obligation will take place the morning of November 6, 2018, the day of the City Council meeting. The pricing and other information will be updated and the final ordinance will be available prior to the meeting. John Robuck with BOK Financial Services, Inc., the City's Financial Advisor, will be in attendance at the workshop preceding this meeting to present the results of the sale. Jonathan Frels from Bracewell LLP, the City's Bond Counsel, will also be in attendance to review any questions on the legal documentation.

Fiscal/Budgetary Impact:

The FY 2018-2019 Budget includes a proposed issue of \$6,335,000 with an associated debt service payment of \$409,800 estimated for the fiscal year. Payment of the debt service and issuance costs related to these certificates are "payable from ad valorem taxes and from a limited pledge of a

subordinate lien on the net revenues of the City's waterworks and sanitary sewer system."

Approve the ordinance authorizing the issuance and sale of the City of Deer Park, Texas, Certificates of Obligation, Series 2018.

ORDINANCE NO. _____

AUTHORIZING THE
ISSUANCE OF

CITY OF DEER PARK, TEXAS
CERTIFICATES OF OBLIGATION
SERIES 2018

Adopted: November 6, 2018

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AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF DEER PARK, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2018; LEVYING A TAX AND PROVIDING FOR THE SECURITY AND PAYMENT THEREOF; AND ENACTING OTHER PROVISIONS RELATING THERETO

THE STATE OF TEXAS §
COUNTY OF HARRIS §
CITY OF DEER PARK §

WHEREAS, under the provisions of Subchapter C, Chapter 271, Texas Local Government Code, as amended (the “Act”), the City of Deer Park, Texas (the “City”), is authorized to issue certificates of obligation for the purposes specified in this Ordinance and for the payment of all or a portion of the contractual obligations for professional services, including that of engineers, attorneys, and financial advisors in connection therewith, and to sell the same for cash as herein provided; and

WHEREAS, the City is authorized to provide that such obligations will be payable from and secured by a direct and continuing annual ad valorem tax levied, within the limits prescribed by law, against all taxable property within the City, in combination with a limited pledge of a subordinate lien on the net revenues of the City’s waterworks and sanitary sewer system (the “System”) in an amount not to exceed \$1,000 as authorized by the Act and Chapter 1502, Texas Government Code; and

WHEREAS, the City Council has found and determined that it is necessary and in the best interests of the City and its citizens that it issue such certificates of obligation authorized by this Ordinance; and

WHEREAS, pursuant to a resolution heretofore passed by this governing body, notice of intention to issue certificates of obligation of the City payable as provided in this Ordinance was published in a newspaper of general circulation in the City in accordance with the laws of the State of Texas, which notice provided that the principal amount of such certificates of obligation would not exceed \$6,500,000 and the proceeds would be used for the purpose of paying contractual obligations to be incurred for the purposes set forth in Section 3.1 hereof; and

WHEREAS, such notice provided that the City tentatively planned to consider the passage of an ordinance authorizing the issuance of the Certificates on November 6, 2018; and

WHEREAS, no petition of any kind has been filed with the City Secretary, any member of the City Council or any other official of the City, protesting the issuance of such certificates of obligation; and

WHEREAS, this City Council is now authorized and empowered to proceed with the issuance of said certificates of obligation and to sell the same for cash; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place, and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; therefore,

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

ARTICLE I

DEFINITIONS AND OTHER PRELIMINARY MATTERS

Section 1.1. Definitions.

Unless otherwise expressly provided or unless the context clearly requires otherwise in this Ordinance, the following terms shall have the meanings specified below:

“Bond Counsel” means Bracewell LLP.

“Business Day” means a day that is not a Saturday, Sunday, legal holiday or other day on which banking institutions in the city where the Designated Payment/Transfer Office is located are required or authorized by law or executive order to close.

“Certificate” or “Certificates” means the City’s certificates of obligation entitled, “City of Deer Park, Texas, Certificates of Obligation, Series 2018” authorized to be issued by Section 3.1 of this Ordinance.

“City” means the City of Deer Park, Texas.

“Closing Date” means the date of the initial delivery of and payment for the Certificates.

“Code” means the Internal Revenue Code of 1986, as amended, and with respect to a specific section thereof, such reference shall be deemed to include (a) the Regulation promulgated under such section, (b) any successor provision of similar import hereafter enacted, (c) any corresponding provision of any subsequent Internal Revenue Code and (d) the regulations promulgated under the provisions described in (b) and (c).

“Dated Date” means December 1, 2018.

“Debt Service Fund” means the debt service fund established by Section 2.2 of this Ordinance.

“Designated Payment/Transfer Office” means (i) with respect to the initial Paying Agent/Registrar named in this Ordinance, the Designated Payment/Transfer Office as designated in the Paying Agent/Registrar Agreement, or at such other location designated by the Paying Agent/Registrar and (ii) with respect to any successor Paying Agent/Registrar, the office of such successor designated and located as may be agreed upon by the City and such successor.

“DTC” means The Depository Trust Company of New York, New York, or any successor securities depository.

“DTC Participant” means brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

“EMMA” means the Electronic Municipal Market Access system.

“Fiscal Year” means such fiscal year as shall from time to time be set by the City Council.

“Initial Certificate” means the initial certificate authorized by Section 3.4 of this Ordinance.

“Initial Purchaser” means the initial purchaser of the Certificates identified in Section 7.1 of this Ordinance.

“Interest Payment Date” means the date or dates upon which interest on the principal of the Certificates is scheduled to be paid until their respective dates of maturity or prior redemption, such dates being March 15 and September 15 of each year, commencing on March 15, 2019.

“MSRB” means the Municipal Securities Rulemaking Board.

“Net Revenues” means the revenues to be derived from the System, after the payment of all operation and maintenance expenses thereof.

“Ordinance” as used herein and in the Certificates means this ordinance authorizing the Certificates.

“Owner” means the person who is the registered owner of a Certificate or Certificates, as shown in the Register.

“Paying Agent/Registrar” means initially The Bank of New York Mellon Trust Company, N.A., or any successor thereto as provided in this Ordinance.

“Paying Agent/Registrar Agreement” means the Paying Agent/Registrar Agreement between the Paying Agent/Registrar and the City relating to the Certificates.

“Record Date” means the last Business Day day of the month next preceding an Interest Payment Date.

“Register” means the bond register specified in Section 3.6(a) of this Ordinance.

“Regulations” means the applicable, proposed, temporary or final Treasury Regulations promulgated under the Code, or, to the extent applicable to the Code, under the Internal Revenue Code of 1954, as such regulations may be amended or supplemented from time to time.

“Representation Letter” means the Blanket Letter of Representations between the City and DTC.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

“System” as used in this Ordinance means the City’s waterworks and sanitary sewer system.

“Unclaimed Payments” means money deposited with the Paying Agent/Registrar for the payment of principal, redemption premium, if any, or interest on the Certificates as the same becomes due and payable or money set aside for the payment of Certificates duly called for redemption prior to maturity and remaining unclaimed by the Owners of such Certificates for 90 days after the applicable payment or redemption date.

Section 1.2. Findings.

The declarations, determinations, and findings declared, made, and found in the preamble to this Ordinance are hereby adopted, restated, and made a part of the operative provisions hereof.

Section 1.3. Table of Contents, Titles, and Headings.

The table of contents, titles, and headings of the Articles and Sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in construing this Ordinance or any provision hereof or in ascertaining intent, if any question of intent should arise.

Section 1.4. Interpretation.

(a) Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa.

(b) Any action required to be taken on a date which is not a Business Day shall be taken on the next succeeding Business Day and have the same effect as if taken on the date so required.

(c) This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein to sustain the validity of this Ordinance.

(d) Article and section references shall mean references to articles and sections of this Ordinance unless otherwise designated.

ARTICLE II

TAX LEVY; DEBT SERVICE FUND; PLEDGE OF REVENUES

Section 2.1. Tax Levy.

(a) Pursuant to the authority granted by the Texas Constitution and the laws of the State of Texas, there shall be levied and there is hereby levied for the current year and for each succeeding year thereafter while any of the Certificates or any interest thereon is outstanding and unpaid, an ad valorem tax on each one hundred dollars valuation of taxable property within the City, at a rate sufficient, within the limit prescribed by law, to pay the debt service requirements of the Certificates, being (i) the interest on the Certificates, and (ii) a sinking fund for their redemption

at maturity or a sinking fund of 2% per annum (whichever amount is greater), when due and payable, full allowance being made for delinquencies and costs of collection.

(b) The ad valorem tax thus levied shall be assessed and collected each year against all property appearing on the tax rolls of the City most recently approved in accordance with law and the money thus collected shall be deposited as collected to the Debt Service Fund.

(c) Said ad valorem tax, the collections therefrom, and all amounts on deposit in or required hereby to be deposited to the Debt Service Fund are hereby pledged and committed irrevocably to the payment of the principal of and interest on the Certificates when and as due and payable in accordance with their terms and this Ordinance and associated expenses.

Section 2.2. Debt Service Fund.

(a) The City hereby establishes a special fund or account to be designated the "City of Deer Park, Texas, Certificates of Obligation, Series 2018, Debt Service Fund" (the "Debt Service Fund") with said fund to be maintained at an official depository bank of the City separate and apart from all other funds and accounts of the City.

(b) Money on deposit in, or required by this Ordinance to be deposited to, the Debt Service Fund shall be used solely for the purpose of paying the interest on and principal of the Certificates when and as due and payable and associated costs in accordance with their terms and this Ordinance.

(c) To pay debt service coming due on the Certificates prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 2.3. Pledge of Revenues.

The Net Revenues to be derived from the operation of the System in an amount not to exceed \$1,000 are hereby pledged to the payment of the principal of and interest on the Certificates as the same come due; provided, however, that such pledge is and shall be junior and subordinate in all respects to the pledge of the Net Revenues to the payment of all outstanding obligations of the City and any obligation of the City, whether authorized heretofore or hereafter, that the City designates as having a pledge senior to the pledge of the Net Revenues to the payment of the Certificates. The City also reserves the right to issue, for any lawful purpose at any time, in one or more installments, bonds, certificates of obligation and other obligations of any kind payable in whole or in part from the Net Revenues, secured by a pledge of the Net Revenues that may be prior and superior in right to, on a parity with, or junior and subordinate to the pledge of Net Revenues securing the Certificates. The revenues of the System available after the payment of all operation and maintenance expenses of the System, any debt service payable from gross revenues or Net Revenues of the System, if any, as well as other payments, costs or expenses designated in an ordinance authorizing the issuance of System revenue obligations may be used for any lawful purpose of the City.

ARTICLE III

AUTHORIZATION; GENERAL TERMS AND PROVISIONS REGARDING THE CERTIFICATES

Section 3.1. Authorization.

The City's "City of Deer Park, Texas, Certificates of Obligation, Series 2018" are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas, specifically Subchapter C, Chapter 271, Texas Local Government Code, as amended. The Certificates shall be issued in the aggregate principal amount of **[\$6,335,000]** for the costs associated with the repair and renovation of, the construction of improvements to and the equipment of the City's waterworks and sanitary sewer system, and the cost of professional services incurred in connection therewith.

Section 3.2. Date, Denomination, Maturities, and Interest.

(a) The Certificates shall be dated the Dated Date. The Certificates shall be in fully registered form, without coupons, in the denomination of \$5,000 or any integral multiple thereof and shall be numbered separately from R-1 upward, except the Initial Certificate, which shall be numbered I-1.

(b) The Certificates shall mature on March 15 in the years and in the principal amounts set forth in the following schedule:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$_____	_____%	2029	\$_____	_____%
2020	_____	_____	2030	_____	_____
2021	_____	_____	2031	_____	_____
2022	_____	_____	2032	_____	_____
2023	_____	_____	2033	_____	_____
2024	_____	_____	2034	_____	_____
2025	_____	_____	2035	_____	_____
2026	_____	_____	2036	_____	_____
2027	_____	_____	2037	_____	_____
2028	_____	_____	2038	_____	_____

(c) Interest shall accrue and be paid on each Certificate, respectively, until the principal amount thereof has been paid or provision for such payment has been made, from the later of the Closing Date or the most recent Interest Payment Date to which interest has been paid or provided for at the rate per annum for each respective maturity specified in the schedule contained in subsection (b) above. Such interest shall be payable semiannually on each Interest Payment Date, computed on the basis of a 360-day year composed of twelve 30-day months.

Section 3.3. Medium, Method, and Place of Payment.

(a) The principal of and interest on the Certificates shall be paid in lawful money of the United States of America.

(b) Interest on the Certificates shall be paid by check dated as of the Interest Payment Date, and sent by United States mail, first class, postage prepaid, by the Paying Agent/Registrar to each Owner, as shown in the Register at the close of business on the Record Date, at the address of each such Owner as such appears in the Register or by such other customary banking arrangements acceptable to the Paying Agent/Registrar and the person to whom interest is to be paid; provided, however, that such person shall bear all risk and expense of such other customary banking arrangements.

(c) The principal of each Certificate shall be paid to the Owner thereof on the Maturity Date or upon prior redemption upon presentation and surrender of such Certificate at the Designated Payment/Transfer Office of the Paying Agent/Registrar.

(d) If the date for the payment of the principal of or interest on the Certificates is not a Business Day, the date for such payment shall be the next succeeding Business Day, and payment on such date shall for all purposes be deemed to have been made on the due date thereof as specified in this Section.

(e) In the event of a nonpayment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the special payment date of the past due interest (the "Special Payment Date," which shall be 15 days after the Special Record Date) shall be sent at least five Business Days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of each Owner of a Certificate appearing on the books of the Paying Agent/Registrar at the close of business on the fifteenth day next preceding the date of mailing of such notice.

(f) Unclaimed Payments shall be segregated in a special account and held in trust, uninvested by the Paying Agent/Registrar, for the account of the Owner of the Certificates to which the Unclaimed Payments pertain. Subject to Title 6, Texas Property Code, Unclaimed Payments remaining unclaimed by the Owners entitled thereto for three (3) years after the applicable payment or redemption date shall be applied to the next payment or payments on the Certificates thereafter coming due and, to the extent any such money remains after the retirement of all outstanding Certificates, shall be paid to the City to be used for any lawful purpose. Thereafter, neither the City, the Paying Agent/Registrar nor any other person shall be liable or responsible to any holders of such Certificates for any further payment of such unclaimed moneys or on account of any such Certificates, subject to Title 6, Texas Property Code.

Section 3.4. Execution and Registration of Certificates.

(a) The Certificates shall be executed on behalf of the City by the Mayor or Mayor Pro Tem and the City Secretary, by their manual or facsimile signatures, and the official seal of the City shall be impressed or placed in facsimile thereon. Such facsimile signatures on the Certificates

shall have the same effect as if each of the Certificates had been signed manually and in person by each of said officers, and such facsimile seal on the Certificates shall have the same effect as if the official seal of the City had been manually impressed upon each of the Certificates.

(b) In the event that any officer of the City whose manual or facsimile signature appears on the Certificates ceases to be such officer before the authentication of such Certificates or before the delivery thereof, such manual or facsimile signature nevertheless shall be valid and sufficient for all purposes as if such officer had remained in such office.

(c) Except as provided below, no Certificate shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided herein, duly authenticated by manual execution by an officer or duly authorized signatory of the Paying Agent/Registrar. It shall not be required that the same officer or authorized signatory of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on all of the Certificates. In lieu of the executed Certificate of Paying Agent/Registrar described above, the Initial Certificate delivered at the Closing Date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided herein, manually executed by the Comptroller of Public Accounts of the State of Texas, or by his duly authorized agent, which certificate shall be evidence that the Initial Certificate has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the City, and has been registered by the Comptroller of Public Accounts of the State of Texas.

(d) On the Closing Date, one initial Certificate (the "Initial Certificate"), representing the entire principal amount of the Certificates, payable in stated installments to the Initial Purchaser or its designee, executed by manual or facsimile signature of the Mayor or Mayor Pro Tem and the City Secretary of the City, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to the Initial Purchaser or its designee. Upon payment for the Initial Certificate, the Paying Agent/Registrar shall cancel such Initial Certificate and deliver to DTC on behalf of the Initial Purchaser registered definitive Certificates as described in Section 3.9. To the extent the Paying Agent/Registrar is eligible to participate in DTC's FAST System, as evidenced by an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 3.5. Ownership.

(a) The City, the Paying Agent/Registrar and any other person may treat the Owner as the absolute owner of such Certificate for the purpose of making and receiving payment of the principal thereof, for the purpose of making and receiving payment of the interest thereon (subject to the provisions herein that the interest is to be paid to the person in whose name the Certificate is registered on the Record Date or Special Record Date, as applicable), and for all other purposes, whether or not such Certificate is overdue, and neither the City nor the Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary.

(b) All payments made to the Owner of a Certificate shall be valid and effectual and shall discharge the liability of the City and the Paying Agent/Registrar upon such Certificate to the extent of the sums paid.

Section 3.6. Registration, Transfer, and Exchange.

(a) So long as any Certificates remain outstanding, the City shall cause the Paying Agent/Registrar to keep at its Designated Payment/Transfer Office a register (the "Register") in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Certificates in accordance with this Ordinance.

(b) The ownership of a Certificate may be transferred only upon the presentation and surrender of the Certificate to the Paying Agent/Registrar at the Designated Payment/Transfer Office with such endorsement or other instrument of transfer and assignment as is acceptable to the Paying Agent/Registrar. No transfer of any Certificate shall be effective until entered in the Register.

(c) The Certificates shall be exchangeable upon the presentation and surrender thereof at the Designated Payment/Transfer Office for a Certificate or Certificates of the same maturity and interest rate and in any denomination or denominations of any integral multiple of \$5,000, and in an aggregate principal amount equal to the unpaid principal amount of the Certificates presented for exchange.

(d) The Paying Agent/Registrar is hereby authorized to authenticate and deliver Certificates transferred or exchanged in accordance with this Section. A new Certificate or Certificates will be delivered by the Paying Agent/Registrar, in lieu of the Certificate being transferred or exchanged, at the Designated Payment/Transfer Office, or sent by United States mail, first class, postage prepaid, to the Owner or his designee. Each Certificate delivered by the Paying Agent/Registrar in accordance with this Section shall constitute an original contractual obligation of the City and shall be entitled to the benefits and security of this Ordinance to the same extent as the Certificate or Certificates in lieu of which such Certificate is delivered.

(e) No service charge shall be made to the Owner for the initial registration, subsequent transfer, or exchange for a different denomination of any of the Certificates. The Paying Agent/Registrar, however, may require the Owner to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection with the registration, transfer, or exchange of a Certificate.

(f) Neither the City nor the Paying Agent/Registrar shall be required to transfer or exchange any Certificate called for redemption, in whole or in part, within 45 days prior to the date fixed for redemption; provided, however, such limitation shall not be applicable to an exchange by the Owner of the uncalled balance of a Certificate.

Section 3.7. Cancellation.

All Certificates paid or redeemed before scheduled maturity in accordance with this Ordinance, and all Certificates in lieu of which exchange Certificates or replacement Certificates are authenticated and delivered in accordance with this Ordinance, shall be cancelled and proper

records made regarding such payment, redemption, exchange, or replacement. The Paying Agent/Registrar shall dispose of such cancelled Certificates in the manner required by the Securities Exchange Act of 1934, as amended.

Section 3.8. Replacement Certificates.

(a) Upon the presentation and surrender to the Paying Agent/Registrar of a mutilated Certificate, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a replacement Certificate of like tenor and principal amount, bearing a number not contemporaneously outstanding. The City or the Paying Agent/Registrar may require the Owner of such Certificate to pay a sum sufficient to cover any tax or other governmental charge that is authorized to be imposed in connection therewith and any other expenses connected therewith.

(b) In the event that any Certificate is lost, apparently destroyed or wrongfully taken, the Paying Agent/Registrar, pursuant to the applicable laws of the State of Texas and in the absence of notice or knowledge that such Certificate has been acquired by a bona fide purchaser, shall authenticate and deliver a replacement Certificate of like tenor and principal amount, bearing a number not contemporaneously outstanding, provided that the Owner first complies with the following requirements:

(i) furnishes to the Paying Agent/Registrar satisfactory evidence of his or her ownership of and the circumstances of the loss, destruction, or theft of such Certificate;

(ii) furnishes such security or indemnity as may be required by the Paying Agent/Registrar to save it and the City harmless;

(iii) pays all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar, and any tax or other governmental charge that is authorized to be imposed; and

(iv) satisfies any other reasonable requirements imposed by the City and the Paying Agent/Registrar.

(c) If, after the delivery of such replacement Certificate, a bona fide purchaser of the original Certificate in lieu of which such replacement Certificate was issued presents for payment such original Certificate, the City and the Paying Agent/Registrar shall be entitled to recover such replacement Certificate from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost, or expense incurred by the City or the Paying Agent/Registrar in connection therewith.

(d) In the event that any such mutilated, lost, apparently destroyed, or wrongfully taken Certificate has become or is about to become due and payable, the Paying Agent/Registrar, in its discretion, instead of issuing a replacement Certificate, may pay such Certificate when it becomes due and payable.

(e) Each replacement Certificate delivered in accordance with this Section shall constitute an original additional contractual obligation of the City and shall be entitled to the

benefits and security of this Ordinance to the same extent as the Certificate or Certificates in lieu of which such replacement Certificate is delivered.

Section 3.9. Book-Entry-Only System.

(a) The definitive Certificates shall be initially issued in the form of a separate single fully registered Certificate for each maturity. Upon initial issuance, the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of DTC, and except as provided in Section 3.10 hereof, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Certificates, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown in the Register of any amount with respect to principal of, premium, if any, or interest on the Certificates. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Register as the absolute Owner of such Certificate for the purpose of payment of principal of, premium, if any, and interest on the Certificates, for the purpose of giving notices of redemption and other matters with respect to such Certificate, for the purpose of registering transfer with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Certificates only to or upon the order of the respective Owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the Certificates to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Register, shall receive a certificate evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the registered Owner at the close of business on the Record Date, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(c) The Representation Letter previously executed and delivered by the City, and applicable to the City's obligations delivered in book entry only form to DTC as securities depository, is hereby ratified and approved for the Certificates.

Section 3.10. Successor Securities Depository; Transfer Outside Book-Entry-Only System.

In the event that the City determines that it is in the best interest of the City and the beneficial owners of the Certificates that they be able to obtain certificated Certificates, or in the event DTC discontinues the services described herein, the City shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository; or (ii) notify DTC and DTC Participants of the availability through DTC of certificated Certificates and cause the Paying Agent/Registrar to transfer one or more separate registered Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

Section 3.11. Payments to Cede & Co.

Notwithstanding any other provision of this Ordinance to the contrary, so long as the Certificates are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Certificates, and all notices with respect to such Certificates shall be made and given, respectively, in the manner provided in the Representation Letter of the City to DTC.

ARTICLE IV

REDEMPTION OF CERTIFICATES BEFORE MATURITY

Section 4.1. Limitation on Redemption.

The Certificates shall be subject to redemption before scheduled maturity only as provided in this Article IV.

Section 4.2. Optional Redemption.

(a) The City has reserved the right to redeem at its option the Certificates maturing on and after March 15, 2029, in whole or from time to time in part before their respective scheduled maturity dates, on March 15, 2028, or on any date thereafter, at a redemption price equal to the principal amount thereof plus accrued interest to the date of redemption.

(b) The City, at least 45 days before the redemption date, unless a shorter period shall be satisfactory to the Paying Agent/Registrar, shall notify the Paying Agent/Registrar of such redemption and of the principal amount of Certificates to be redeemed.

Section 4.3. Mandatory Sinking Fund Redemption.

(a) The Certificates designated as “Term Certificates” in the form of Certificate contained in Section 6.2(a) (“Term Certificates”), are subject to scheduled mandatory redemption and will be redeemed by the City, in part at a price equal to the principal amount thereof, without premium, plus accrued interest to the redemption date, out of moneys available for such purpose in the Debt Service Fund, on the dates and in the respective principal amounts as set forth in the form of Certificate contained in Section 6.2(a).

(b) Prior to each scheduled mandatory redemption date, the Paying Agent/Registrar shall select for redemption by lot, or by any other customary method that results in a random selection, a principal amount of Term Certificates equal to the aggregate principal amount of such Term Certificates to be redeemed, shall call such Term Certificates for redemption on such scheduled mandatory redemption date, and shall give notice of such redemption, as provided in Section 4.5.

(c) The principal amount of the Term Certificates required to be redeemed on any redemption date pursuant to subparagraph (a) of this Section 4.3 shall be reduced, at the option of the City, by the principal amount of any Term Certificates which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the City at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.]

Section 4.4. Partial Redemption.

(a) If less than all of the Certificates are to be redeemed pursuant to Section 4.2 hereof, the City shall determine the maturity or maturities (or mandatory sinking fund payment with respect to the Term Certificates) and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call by lot, or other customary method that results in random selection, the Certificates, or portions thereof, within such maturity or maturities and in such principal amounts for redemption.

(b) A portion of a single Certificate of a denomination greater than \$5,000 may be redeemed, but only in a principal amount equal to \$5,000 or any integral multiple thereof. If such a Certificate is to be partially redeemed, the Paying Agent/Registrar shall treat each \$5,000 portion of the Certificate as though it were a single Certificate for purposes of selection for redemption.

(c) Upon surrender of any Certificate for redemption in part, the Paying Agent/Registrar, in accordance with Section 3.6 of this Ordinance, shall authenticate and deliver an exchange Certificate or Certificates in an aggregate principal amount equal to the unredeemed portion of the Certificate so surrendered, such exchange being without charge.

(d) The Paying Agent/Registrar shall promptly notify the City in writing of the principal amount to be redeemed of any Certificate as to which only a portion thereof is to be redeemed.

Section 4.5. Notice of Redemption to Owners.

(a) The Paying Agent/Registrar shall give notice of any redemption of Certificates by sending notice by United States mail, first class postage prepaid, not less than 30 days before the date fixed for redemption, to the Owner of each Certificate (or part thereof) to be redeemed, at the address shown on the Register at the close of business on the Business Day next preceding the date of mailing such notice.

(b) The notice shall state the redemption date, the redemption price, the place at which the Certificates are to be surrendered for payment, and if less than all Certificates outstanding are to be redeemed and subject to Section 4.4 hereof, an identification of the Certificates or portions thereof to be redeemed.

(c) The City reserves the right to give notice of its election or direction to redeem Certificates under Section 4.2 conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice, and such notice and redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected Owners. Any Certificates subject to conditional redemption where redemption has been rescinded shall remain Outstanding.

(d) Any notice given as provided in this Section shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice.

Section 4.6. Payment Upon Redemption.

(a) Before or on each redemption date, the City shall deposit with the Paying Agent/Registrar money sufficient to pay all amounts due on the redemption date and the Paying Agent/Registrar shall make provision for the payment of the Certificates to be redeemed on such date by setting aside and holding in trust such amounts as are received by the Paying Agent/Registrar from the City and shall use such funds solely for the purpose of paying the principal of, redemption premium, if any, and accrued interest on the Certificates being redeemed.

(b) Upon presentation and surrender of any Certificate called for redemption at the Designated Payment/Transfer Office of the Paying Agent/Registrar on or after the date fixed for redemption, the Paying Agent/Registrar shall pay the principal of, redemption premium, if any, and accrued interest on such Certificate to the date of redemption from the money set aside for such purpose.

Section 4.7. Effect of Redemption.

(a) When Certificates have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Certificates or portions thereof so

redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after the redemption date on any Certificate or portion thereof called for redemption shall terminate on the date fixed for redemption. If the City shall fail to make provision for payment of all sums due on a redemption date, then any Certificate or portion thereof called for redemption shall continue to bear interest at the rate stated on the Certificate until due provision is made for the payment of same.

(b) If the City shall fail to make provision for payment of all sums due on a redemption date, then any Certificate or portion thereof called for redemption shall continue to bear interest at the rate stated on the Certificate until due provision is made for the payment of same by the City.

Section 4.8. Lapse of Payment. Money set aside for the redemption of the Certificates and remaining unclaimed by the Owners thereof shall be subject to the provisions of Section 3.3(f) hereof.

ARTICLE V

PAYING AGENT/REGISTRAR

Section 5.1. Appointment of Initial Paying Agent/Registrar.

(a) The City hereby appoints The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, as its initial registrar and transfer agent (the "Paying Agent/Registrar") to keep such books or records and make such transfers and registrations under such reasonable regulations as the City and the Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such transfer and registrations as herein provided. It shall be the duty of the Paying Agent/Registrar to obtain from the Owners and record in the Register the address of such Owner of each Certificate to which payments with respect to the Certificates shall be mailed, as provided herein. The City or its designee shall have the right to inspect the Register during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity.

(b) The City hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Certificates, and of all conversions, exchanges and replacements of such Certificates, as provided in the Ordinance.

(c) The form of Paying Agent/Registrar Agreement is hereby approved. The City hereby approves and the Mayor or Mayor Pro Tem and the City Secretary are hereby authorized to execute and deliver a Paying Agent/Registrar Agreement, specifying the duties and responsibilities of the City and the Paying Agent/Registrar.

Section 5.2. Qualifications.

Each Paying Agent/Registrar shall be a commercial bank or trust company organized under the laws of the State, or any other entity duly qualified and legally authorized to serve as and perform the duties and services of paying agent and registrar for the Certificates.

Section 5.3. Maintaining Paying Agent/Registrar.

(a) At all times while any Certificates are outstanding, the City will maintain a Paying Agent/Registrar that is qualified under Section 5.2 of this Ordinance.

(b) If the Paying Agent/Registrar resigns or otherwise ceases to serve as such, the City will promptly appoint a replacement, provided no such resignation shall be effective until a successor Paying Agent/Registrar has accepted the duties of Paying Agent/Registrar for the Certificates.

Section 5.4. Termination.

The City reserves the right to terminate the appointment of any Paying Agent/Registrar by delivering to the entity whose appointment is to be terminated (i) 45 days written notice of the termination of the appointment and of the Paying Agent/Registrar Agreement, stating the effective date of such termination, and (ii) appointing a successor Paying Agent/Registrar; provided, that, no such termination shall be effective until a successor Paying Agent/Registrar has assumed the duties of Paying Agent/Registrar for the Certificates.

Section 5.5. Notice of Change to Owners.

Promptly upon each change in the entity serving as Paying Agent/Registrar, the City will cause notice of the change to be sent to each Owner by United States mail, first class, postage prepaid, at the address in the Register, stating the effective date of the change and the name and mailing address of the replacement Paying Agent/Registrar.

Section 5.6. Agreement to Perform Duties and Functions.

By accepting the appointment as Paying Agent/Registrar, the Paying Agent/Registrar is deemed to have agreed to the provisions of this Ordinance and that it will perform the duties and functions of Paying Agent/Registrar prescribed hereby and under the Paying Agent/Registrar Agreement.

Section 5.7. Delivery of Records to Successor.

If a Paying Agent/Registrar is replaced, such Paying Agent/Registrar, promptly upon the appointment of the successor, will deliver the Register (or a copy thereof) and all other pertinent books and records relating to the Certificates to the successor Paying Agent/Registrar.

ARTICLE VI

FORM OF THE CERTIFICATES

Section 6.1. Form Generally.

(a) The Certificates, including the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Certificate of the Paying Agent/Registrar, the Assignment form and the Statement of Insurance, if any, to appear on each of the Certificates, (i) shall be substantially in the form set forth in this Article, with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance, and (ii) may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the City or by the officers executing such Certificates, as evidenced by their execution thereof.

(b) Any portion of the text of any Certificates may be set forth on the reverse side thereof, with an appropriate reference thereto on the face of the Certificates.

(c) The definitive Certificates, if any, shall be typewritten, photocopied, printed, lithographed, or engraved, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Certificates, as evidenced by their execution thereof.

(d) The Initial Certificate submitted to the Attorney General of the State of Texas may be typewritten and photocopied or otherwise reproduced.

Section 6.2. Form of the Certificates.

The form of the Certificates, including the form of the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the form of Certificate of the Paying Agent/Registrar and the form of Assignment appearing on the Certificates, shall be substantially as follows:

(a) Form of Certificate.

REGISTERED
NO. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF HARRIS

CITY OF DEER PARK, TEXAS
CERTIFICATE OF OBLIGATION
SERIES 2018

INTEREST RATE: MATURITY DATE: CLOSING DATE: CUSIP NUMBER:
_____ % _____ December __, 2018 _____

The City of Deer Park (the "City"), in the County of Harris, State of Texas, for value received, hereby promises to pay to

or registered assigns, on the Maturity Date specified above, the sum of

_____ DOLLARS

and to pay interest on such principal amount from the later of the Closing Date specified above or the most recent interest payment date to which interest has been paid or provided for until payment of such principal amount has been paid or provided for, at the per annum rate of interest specified above, computed on the basis of a 360-day year of twelve 30-day months, such interest to be paid semiannually on March 15 and September 15 of each year, commencing on March 15, 2019.

The principal of this Certificate shall be payable without exchange or collection charges in lawful money of the United States of America upon presentation and surrender of this Certificate at the corporate trust office The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, or such other location designated by the Paying Agent/Registrar (the "Designated Payment/Transfer Office"), of the Paying Agent/Registrar or, with respect to a successor Paying Agent/Registrar, at the Designated Payment/Transfer Office of such successor. Interest on this Certificate is payable by check dated as of the interest payment date, and will be mailed by the Paying Agent/Registrar to the registered owner at the address shown on the registration books kept by the Paying Agent/Registrar or by such other customary banking arrangement acceptable to the Paying Agent/Registrar and the registered owner; provided, however, such registered owner shall bear all risk and expenses of such customary banking arrangement. For the purpose of the payment of interest on this Certificate, the registered owner shall be the person in whose name this Certificate is registered at the close of business on the "Record Date," which shall be the last business day of the month next preceding such interest payment date. In the event of a nonpayment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such

interest payment (a “Special Record Date”) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the special payment date of the past due interest (the “Special Payment Date,” which date shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of each owner of a Certificate appearing on the books of the Paying Agent/Registrar at the close of business on the last day next preceding the date of mailing of such notice.

If the date for the payment of the principal of or interest on this Certificate is not a Business Day, the date for such payment shall be the next succeeding day which is not a Saturday, Sunday or legal holiday, or day on which banking institutions in the State of Texas or the city in which the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are generally authorized or obligated by law or executive order to close (a “Business Day”), and payment on such date shall for all purposes be deemed to have been made on the original date payment was due.

This Certificate is dated December 1, 2018 and is one of a series of fully registered certificates specified in the title hereof issued in the aggregate principal amount of **[\$6,335,000]** (herein referred to as the “Certificates”), issued pursuant to a certain ordinance of the City (the “Ordinance”) for the costs associated with the repair and renovation of, the construction of improvements to and the equipment of the City’s waterworks and sanitary sewer system, the cost of professional services incurred in connection therewith and the costs of issuing the Certificates.

The City has reserved the right to redeem the Certificates maturing on and after March 15, 2029, in whole or from time to time in part before their respective scheduled maturity dates, on March 15, 2028, or on any date thereafter, at a redemption price equal to the principal amount thereof plus accrued interest to the date of redemption. If less than all of the Certificates are to be redeemed, the City shall determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar to call by lot the Certificates, or portions thereof, within such maturity and in such principal amounts, for redemption.

[Certificates maturing on March 15, 20__ (the “Term Certificates”) are subject to mandatory sinking fund redemption prior to their scheduled maturity, and will be redeemed by the City, in part at a redemption price equal to the principal amount thereof, without premium, plus interest accrued to the redemption date, on the dates and in the principal amounts shown in the following schedule:

<u>\$ Term Certificates Maturing March 15, 20</u>	
<u>Mandatory Redemption Date</u>	<u>Principal Amount</u>
March 15, 20__	\$ _____
March 15, 20__ (maturity)	\$ _____

The Paying Agent/Registrar will select by lot or by any other customary method that results in a random selection the specific Term Certificates (or with respect to Term Certificates having a denomination in excess of \$5,000, each \$5,000 portion thereof) to be redeemed by mandatory redemption. The principal amount of Term Certificates required to be redeemed on any

redemption date pursuant to the foregoing mandatory sinking fund redemption provisions hereof shall be reduced, at the option of the City, by the principal amount of any Term Certificates which, at least 45 days prior to the mandatory sinking fund redemption date (i) shall have been acquired by the City at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or (ii) shall have been redeemed pursuant to the optional redemption provisions hereof and not previously credited to a mandatory sinking fund redemption.

Not less than 30 days prior to a redemption date for the Certificates, the City shall cause a notice of redemption to be sent by United States mail, first class, postage prepaid, to the Owners of the Certificates to be redeemed at the address of the Owner appearing on the registration books of the Paying Agent/Registrar at the close of business on the business day next preceding the date of mailing such notice.

The City reserves the right to give notice of its election or direction to redeem Certificates pursuant to an optional redemption conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date, or (ii) that the City retains the right to rescind such notice at any time on or prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice and such notice and redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected Owners. Any Certificates subject to conditional redemption and such redemption has been rescinded shall remain Outstanding and the rescission of such redemption shall not constitute an event of default. Further, in the case of a conditional redemption, the failure of the City to make moneys and or authorized securities available in part or in whole on or before the redemption date shall not constitute an event of default.

Any notice so mailed shall be conclusively presumed to have been duly given, whether or not the registered owner receives such notice. Notice having been so given and subject, in the case of an optional redemption, to any rights or conditions reserved by the City in the notice, the Certificates called for redemption shall become due and payable on the specified redemption date, and notwithstanding that any Certificate or portion thereof has not been surrendered for payment, interest on such Certificates or portions thereof shall cease to accrue.

As provided in the Ordinance, and subject to certain limitations therein set forth, this Certificate is transferable upon surrender of this Certificate for transfer at the designated office of the Paying Agent/Registrar with such endorsement or other evidence of transfer as is acceptable to the Paying Agent/Registrar; thereupon, one or more new fully registered Certificates of the same stated maturity, of authorized denominations, bearing the same rate of interest, and for the same aggregate principal amount will be issued to the designated transferee or transferees.

The City, the Paying Agent/Registrar, and any other person may treat the person in whose name this Certificate is registered as the owner hereof for the purpose of receiving payment as

herein provided (except interest shall be paid to the person in whose name this Certificate is registered on the Record Date) and for all other purposes, whether or not this Certificate be overdue, and neither the City nor the Paying Agent/Registrar shall be affected by notice to the contrary.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be performed, to exist and to be done precedent to or in the issuance and delivery of this Certificate have been performed, exist and have been done in accordance with law; and that annual ad valorem taxes, within the limits prescribed by law, sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in the City.

IT IS FURTHER certified, recited and represented that the revenues to be derived from the operation of the City's waterworks and sanitary sewer system, after the payment of all operation and maintenance expenses thereof (the "Net Revenues"), are pledged to the payment of the principal of and interest on the Certificates in an amount not to exceed \$1,000; provided, however, that such pledge is junior and subordinate in all respects to the pledge of the Net Revenues to the payment of all outstanding obligations of the City and any obligation of the City, whether authorized heretofore or hereafter, which the City designates as having a pledge senior to the pledge of the Net Revenues to the payment of the Certificates. The City also reserves the right to issue, for any lawful purpose at any time, in one or more installments, bonds, certificates of obligation and other obligations of any kind payable in whole or in part from the Net Revenues, secured by a pledge of the Net Revenues that may be prior and superior in right to, on a parity with, or junior and subordinate to the pledge of the Net Revenues securing the Certificates.

IN WITNESS WHEREOF, the City has caused this Certificate to be executed by the manual or facsimile signature of the Mayor or Mayor Pro Tem of the City and countersigned by the manual or facsimile signature of the City Secretary, and the official seal of the City has been duly impressed or placed in facsimile on this Certificate.

City Secretary
City of Deer Park, Texas

Mayor [Pro Tem]¹
City of Deer Park, Texas

[SEAL]

(b) Form of Comptroller's Registration Certificate.

¹ Delete of the Mayor executes the Initial Certificate

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER §
OF PUBLIC ACCOUNTS § REGISTER NO. _____
THE STATE OF TEXAS §

I HEREBY CERTIFY THAT this Certificate has been examined, certified as to validity, and approved by the Attorney General of the State of Texas and that this Certificate has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL OF OFFICE this _____.

[SEAL]

Comptroller of Public Accounts
of the State of Texas

(c) Form of Certificate of Paying Agent/Registrar.

The following Certificate of Paying Agent/Registrar may be deleted from the Initial Certificate if the Comptroller's Registration Certificate appears thereon.

CERTIFICATE OF PAYING AGENT/REGISTRAR

The records of the Paying Agent/Registrar show that the Initial Certificate of this series of certificates of obligation was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas, and that this is one of the Certificates referred to in the within-mentioned Ordinance.

THE BANK OF NEW YORK MELLON TRUST
COMPANY, N.A.,
as Paying Agent/Registrar

Dated: _____

By: _____
Authorized Signatory

(d) Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto (print or typewrite name, address and zip code of transferee): _____

(Social Security or other identifying number: _____) the within Certificate and all rights hereunder and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Certificate on the books kept for registration hereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed By:

Authorized Signatory

NOTICE: The signature on this Assignment must correspond with the name of the registered owner as it appears on the face of the within Certificate in every particular and must be guaranteed in a manner acceptable to the Paying Agent/Registrar.

(e) The Initial Certificate shall be in the form set forth in paragraphs (a), (b) and (d) of this Section, except for the following alterations:

(i) immediately under the name of the Certificate the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the expression "As Shown Below" and "CUSIP NUMBER _____" deleted; and

(ii) in the first paragraph of the Certificate, the words "on the Maturity Date specified above, the sum of _____ DOLLARS" shall be deleted and the following will be inserted: "on March 15 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:"

(Information to be inserted from schedule in Section 3.2 of the Ordinance)

(iii) the Initial Certificate shall be numbered I-1.

Section 6.3. CUSIP Registration.

The City may secure identification numbers through the CUSIP Global Services, which is managed on behalf of the American Bankers Association by S&P Global Market Intelligence, or another entity that provides securities identification numbers for municipal securities, and may print such numbers on the face of the Certificates. It is expressly provided, however, that the

presence or absence of CUSIP numbers on the Certificates or any errors or omissions in the printing of such number shall be of no significance or effect in regard to the legality thereof and neither the City nor Bond Counsel to the City are to be held responsible for CUSIP numbers incorrectly printed on the Certificates.

Section 6.4. Bond Insurance.

If bond insurance is obtained by the Initial Purchaser (hereinafter defined), the Certificates may bear an appropriate legend as provided by the insurer.

Section 6.5. Legal Opinion.

The approving legal opinion of Bond Counsel may be attached to or printed on the reverse side of each Certificate over the certification of the City Secretary of the City, which may be executed in facsimile.

ARTICLE VII

SALE AND DELIVERY OF CERTIFICATES; DEPOSIT OF PROCEEDS; OFFICIAL STATEMENT

Section 7.1. Sale of Certificates.

(a) The sale and delivery of the Certificates, having been duly advertised and offered for sale at competitive bid, are hereby sold and awarded to [] (the "Initial Purchaser") for a purchase price equal to the principal amount thereof plus a cash premium of [\$], being the bid which produced the lowest true interest cost, subject to the approving opinion as to the legality of the Certificates of the Attorney General of the Texas and the opinion of Bond Counsel. The Initial Certificate shall be registered in the name of the Initial Purchaser or its designee. The Mayor or Mayor Pro Tem and all other officers, agents and representatives of the City are hereby authorized to do any and all things necessary or desirable to satisfy the conditions to and to provide for the issuance and delivery of the Certificates.

Section 7.2. Deposit of Proceeds.

Proceeds from the sale of the Certificates shall, promptly upon receipt by the City, be applied as follows:

(a) Certificate proceeds in the amount of [\$] shall be used for the purposes set forth in Section 3.1.

(b) Premium received from the sale of the Certificates in the amount of [\$] shall be used to pay the costs of issuance, and any funds remaining after payment of the costs of issuance may be used for the purposes set forth in Section 3.1 hereof.

(c) Any amounts remaining after accomplishing such purposes and paying costs of issuance shall be deposited to the Debt Service Fund.

Section 7.3. Control and Delivery of Certificates.

(a) The Mayor or Mayor Pro Tem of the City is hereby authorized to have control of the Initial Certificate and all necessary records and proceedings pertaining thereto pending investigation, examination, and approval of the Attorney General of the State of Texas, registration by the Comptroller of Public Accounts of the State of Texas and registration with, and initial exchange or transfer by, the Paying Agent/Registrar.

(b) After registration by the Comptroller of Public Accounts, delivery of the Certificates shall be made to the Initial Purchaser under and subject to the general supervision and direction of the Mayor or Mayor Pro Tem, against receipt by the City of all amounts due to the City under the terms of sale.

(c) All officers of the City are authorized to execute such documents, certificates and receipts and to make such elections with respect to the tax-exempt status of the Certificates, as they may deem necessary to consummate the delivery of the Certificates.

Section 7.4. Official Statement.

The form and substance of the Preliminary Official Statement and any addenda, supplement or amendment thereto, is hereby ratified and approved, and has been deemed final as its date within the meaning and for the purposes of paragraph (b)(1) of the Rule. The City hereby authorizes and approves the preparation of a final Official Statement to add the terms of the Initial Purchaser's bid and other relevant information. The use of such final Official Statement in the reoffering of the Certificates by the Initial Purchaser is hereby approved and authorized. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Certificates.

ARTICLE VIII

QUALIFIED TAX-EXEMPT OBLIGATIONS

Section 8.1. Qualified Tax-Exempt Obligations.

The City hereby designates the Certificates as "qualified tax-exempt obligations" for purposes of section 265(b) of the Code. In connection therewith, the City represents that (a) the aggregate amount of tax-exempt obligations issued by the City during calendar year 2018, including the Certificates, that have been designated as "qualified tax-exempt obligations" under section 265(b)(3) of the Code does not exceed \$10,000,000, and (b) that the reasonably anticipated amount of tax-exempt obligations that will be issued by the City during calendar year 2018, including the Certificates, will not exceed \$10,000,000. For purposes of this Section, the term "tax-exempt obligation" does not include (i) "private activity bonds" within the meaning of section 141 of the Code, other than "qualified 501(c)(3) bonds" within the meaning of section 145 of the Code or (ii) obligations issued to currently refund any obligation to the extent that the amount of the refunding obligations does not exceed the outstanding amount of the refunded obligation. In addition, for purposes of this Section, the City includes all entities which are aggregated with the City under the Code.

ARTICLE IX

PARTICULAR REPRESENTATIONS AND COVENANTS

Section 9.1. Payment of the Certificates.

On or before each Interest Payment Date while any of the Certificates are outstanding and unpaid, there shall be made available to the Paying Agent/Registrar, out of the Debt Service Fund, money sufficient to pay such interest on and principal of, redemption premium, if any, and interest on the Certificates as will accrue or mature on the applicable Interest Payment Date or date of prior redemption.

Section 9.2. Other Representations and Covenants.

(a) The City will faithfully perform, at all times, any and all covenants, undertakings, stipulations, and provisions contained in this Ordinance and in each Certificate; the City will promptly pay or cause to be paid the principal of, redemption premium, if any, and interest on each Certificate on the dates and at the places and manner prescribed in such Certificate; and the City will, at the times and in the manner prescribed by this Ordinance, deposit or cause to be deposited the amounts of money specified by this Ordinance.

(b) The City is duly authorized under the laws of the State of Texas to issue the Certificates; all action on its part for the creation and issuance of the Certificates has been duly and effectively taken; and the Certificates in the hands of the Owners thereof are and will be valid and enforceable obligations of the City in accordance with their terms.

Section 9.3. Provisions Concerning Federal Income Tax Exclusion.

(a) General Tax Covenants. The City intends that the interest on the Certificates be excludable from gross income for purposes of federal income taxation pursuant to sections 103 and 141 through 150, inclusive, of the Code. The City covenants and agrees not to take any action, or knowingly omit to take any action within its control, that if taken or omitted, respectively, would (i) cause the interest on the Certificates to be includable in the gross income, as defined in section 61 of the Code, of the holders thereof for purposes of federal income taxation or (ii) result in the violation of or failure to satisfy any provision of Section 103 and 141 through 150, inclusive, of the Code. In particular, the City covenants and agrees to comply with each requirement of this Section 9.3; provided, however, that the City will not be required to comply with any particular requirement of this Section 9.3 if the City has received an opinion of nationally recognized bond counsel ("Counsel's Opinion") that (i) such noncompliance will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Certificates or (ii) compliance with some other requirement specified in such Counsel's Opinion will satisfy the applicable requirements of the Code, in which case compliance with such other requirement will constitute compliance with the corresponding requirement specified in this Section 9.3.

(b) No Private Use or Payment and No Private Loan Financing. The City will certify, through an authorized officer, employee or agent, that, based upon all facts and estimates known or reasonably expected to be in existence on the date the Certificates are delivered, the proceeds of the Certificates will not be used in a manner that would cause the Certificates to be "private activity

bonds” within the meaning of section 141 of the Code. The City covenants and agrees that it will make such use of the proceeds of the Certificates, including interest or other investment income derived from Certificate proceeds, regulate the use of property financed, directly or indirectly, with such proceeds, and take such other and further action as may be required so that the Certificates will not be “private activity bonds” within the meaning of section 141 of the Code.

(c) No Federal Guarantee. The City covenants and agrees not to take any action, or knowingly omit to take any action within its control, that, if taken or omitted, respectively, would cause the Certificates to be “federally guaranteed” within the meaning of section 149(b) of the Code, except as permitted by section 149(b)(3) of the Code.

(d) Certificates Are Not Hedge Bonds. The City covenants and agrees not to take any action, or knowingly omit to take any action, and has not knowingly omitted and will not knowingly omit to take any action, within its control, that, if taken or omitted, respectively, would cause the Certificates to be “hedge bonds” within the meaning of section 149(g) of the Code.

(e) No-Arbitrage Covenant. The City will certify, through an authorized officer, employee or agent, that, based upon all facts and estimates known or reasonably expected to be in existence on the date the Certificates are delivered, the proceeds of the Certificates will not be used in a manner that would cause the Certificates to be “arbitrage bonds” within the meaning of section 148(a) of the Code. Moreover, the City covenants and agrees that it will make such use of the proceeds of the Certificates including interest or other investment income derived from Certificate proceeds, regulate investments of proceeds of the Certificates, and take such other and further action as may be required so that the Certificates will not be “arbitrage bonds” within the meaning of section 148(a) of the Code.

(f) Arbitrage Rebate. If the City does not qualify for an exception to the requirements of Section 148(f) of the Code, the City will take all necessary steps to comply with the requirement that certain amounts earned by the City on the investment of the “gross proceeds” of the Certificates (within the meaning of section 148(f)(6)(B) of the Code), be rebated to the federal government. Specifically, the City will (i) maintain records regarding the investment of the gross proceeds of the Certificates as may be required to calculate the amount earned on the investment of the gross proceeds of the Certificates separately from records of amounts on deposit in the funds and accounts of the City allocable to other bond issues of the City or moneys do not represent gross proceeds of any Certificate of the City, (ii) calculate at such times as are required by the Regulations, the amount earned from the investment of the gross proceeds of the Certificates that is required to be rebated to the federal government, and (iii) pay, not less often than every fifth anniversary date of the delivery of the Certificates or on such other dates as may be permitted under the Regulations, all amounts required to be rebated to the federal government. Further, the City will not indirectly pay any amount otherwise payable to the federal government pursuant to the foregoing requirements to any person other than the federal government by entering into any investment arrangement with respect to the gross proceeds of the Certificates that might result in a reduction in the amount required to be paid to the federal government because such arrangement results in a smaller profit or a larger loss than would have resulted if the arrangement had been at arm’s length and had the yield on the issue not been relevant to either party.

(g) Information Reporting. The City covenants and agrees to file or cause to be filed with the Secretary of the Treasury, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Certificates are issued, an information statement concerning the Certificates, all under and in accordance with section 149(e) of the Code.

(h) Record Retention. The City will retain all pertinent and material records relating to the use and expenditure of the proceeds of the Certificates until three years after the last Certificate is redeemed or paid at maturity, or such shorter period as authorized by subsequent guidance issued by the Department of the Treasury, if applicable. All records will be kept in a manner that ensures their complete access throughout the retention period. For this purpose, it is acceptable that such records are kept either as hardcopy books and records or in an electronic storage and retrieval system, provided that such electronic system includes reasonable controls and quality assurance programs that assure the ability of the City to retrieve and reproduce such books and records in the event of an examination of the Certificates by the Internal Revenue Service.

(i) Registration. The Certificates will be issued in registered form.

(j) Deliberate Actions. The City will not take a deliberate action (as defined in section 1.141-2(d)(3) of the Regulations) that causes the Certificates to fail to meet any requirement of section 141 of the Code after the issue date of the Certificates unless an appropriate remedial action is permitted by section 1.141-12 of the Regulations, the City takes such remedial action and the City receives a Counsel's Opinion that such remedial action cures any failure to meet the requirements of section 141 of the Code.

(k) Continuing Obligation. Notwithstanding any other provision of this Ordinance, the City's obligations under the covenants and provisions of this Section 9.3 will survive the defeasance and discharge of the Certificates for so long as such matters are relevant to the excludability of interest on the Certificates from gross income for federal income tax purposes.

ARTICLE X

DISCHARGE

Section 10.1. Discharge.

The Certificates may be defeased, discharged or refunded in any manner now or hereafter permitted by applicable law.

ARTICLE XI

CONTINUING DISCLOSURE UNDERTAKING

Section 11.1. Annual Reports.

(a) The City shall provide annually to the MSRB, (i) within six (6) months after the end of each Fiscal Year of the City ending in or after 2018, financial information and operating data with respect to the City of the general type included in the Official Statement under the headings "INVESTMENT AUTHORITY AND INVESTMENT OBJECTIVES OF THE CITY –

Current Investments,” “TAX DATA,” “CITY TAX DEBT” (except under the sub-heading “Estimated Overlapping Debt”), “SELECTED FINANCIAL DATA,” and including financial statements of the City if audited financial statements of the City are then available, and (ii) if not provided as part such financial information and operating data, audited financial statements when they become available. Any financial statements so to be provided shall be (i) prepared in accordance with the accounting principles described in the rules to the financial statements for the most recently concluded Fiscal Year, or such other accounting principles as the City may be required to employ, from time to time, by State law or regulation, and (ii) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the City shall file unaudited financial statements within such 12-month period and audited financial statements for the applicable fiscal year, when and if the audit report on such financial statements becomes available.

(b) If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

(c) The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

Section 11.2. Event Notices.

(a) The City shall provide the following to the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of the event, notice of any of the following events with respect to the Certificates:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of Certificates, or other material events affecting the tax status of the Certificates;
- (7) Modifications to rights of the holders of the Certificates, if material;
- (8) Certificate calls, if material, and tender offers;

- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Certificates, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the City;

Note to paragraph 12: For the purposes of the event identified in paragraph 12 of this section, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

- (13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of successor or additional paying agent/registrar or the change of name of a paying agent/registrar, if material.

(b) The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with Section 11.1 of this Ordinance by the time required by such Section.

Section 11.3. Limitations, Disclaimers and Amendments.

(a) The City shall be obligated to observe and perform the covenants specified in this Article for so long as, but only for so long as, the City remains an “obligated person” with respect to the Certificates within the meaning of the Rule, except that the City in any event will give notice of any redemption calls and any defeasances that cause the City to be no longer an “obligated person.”

(b) The provisions of this Article are for the sole benefit of the Owners and beneficial owners of the Certificates, and nothing in this Article, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Article and does not hereby undertake to provide

any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Article or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITH OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS ARTICLE, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(c) No default by the City in observing or performing its obligations under this Article shall constitute a breach of or default under the Ordinance for purposes of any other provisions of this Ordinance.

(d) Nothing in this Article is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

(e) The provisions of this Article may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (i) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (ii) either (A) the Owners of a majority in aggregate principal amount (or any greater amount required by any other provisions of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (B) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Owners and beneficial owners of the Certificates. The provisions of this Article may also be amended from time to time or repealed by the City if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction determines that such provisions are invalid, but only if and to the extent that reservation of the City's right to do so would not prevent the underwriter of the initial public offering of the Certificates from lawfully purchasing or selling Certificates in such offering. If the City so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with Section 11.1 an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

ARTICLE XII

MISCELLANEOUS

Section 12.1. Changes to Ordinance.

Bond Counsel is hereby authorized to make any changes to the terms of this Ordinance if necessary or desirable to carry out the purposes hereof or in connection with the approval of the issuance of the Certificates by the Attorney General of Texas.

Section 12.2. Partial Invalidity.

If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 12.3. Repealer.

All ordinances or resolutions, or parts thereof, heretofore adopted by the City and inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 12.4. Individuals Not Liable.

No covenant, stipulation, obligation or agreement herein contained shall be deemed to be a covenant, stipulation, obligation or agreement of any member of City Council or agent or employee of City Council or of the City in his or her individual capacity and neither the members of City Council nor any officer thereof, nor any agent or employee of City Council or of the City, shall be liable personally on the Certificates, or be subject to any personal liability or accountability by reason of the issuance thereof.

Section 12.5. Related Matters.

To satisfy in a timely manner all of the City's obligations under this Ordinance, the Mayor or Mayor Pro Tem, the City Secretary and all other appropriate officers and agents of the City are hereby authorized and directed to do any and all things necessary and/or convenient in order to consummate the delivery of the Certificates, pay the costs of issuance on the Certificates, and effectuate the terms and purposes of this Ordinance.

Section 12.6. Force and Effect.

This Ordinance shall be in full force and effect from and after its final passage, and it is so ordained.

[Signature Page Follows]

PASSED, APPROVED AND EFFECTIVE this 6th day of November, 2018.

City Secretary
City of Deer Park, Texas

Mayor
City of Deer Park, Texas

[SEAL]

APPROVED IN ACCORDANCE WITH SECTION 2.06 OF THE CITY OF DEER PARK,
TEXAS CITY CHARTER:

City Attorney
City of Deer Park, Texas

*Signature Page to Ordinance No. _____
Authorizing the Issuance of City of Deer Park, Texas, Certificates of Obligation, Series 2018*

CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS §
COUNTY OF HARRIS §

I, the undersigned officer of the City Council of the City of Deer Park, Texas, hereby certify as follows:

1. The City Council of the City of Deer Park, Texas, convened in a regular meeting on the 6th day of November, 2018, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Jerry Mouton, Jr.	Mayor
Sherry Garrison	Council Member, Position 1
Thane Harrison	Council Member, Position 2
Tommy Ginn	Council Member, Position 3
Bill Patterson	Council Member, Position 4
Ron Martin	Council Member, Position 5
Rae A. Sinor	Council Member, Position 6

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF DEER PARK, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2018; LEVYING A TAX AND PROVIDING FOR THE SECURITY AND PAYMENT THEREOF; AND ENACTING OTHER PROVISIONS RELATING THERETO

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said ordinance be adopted; and, after due discussion, said motion, carrying with it the adoption of said ordinance, prevailed and carried by the following vote:

AYES: _____ Members shown present voted “Aye.”

NOES: _____ Members shown present voted “No.”

2. A true, full and correct copy of the aforesaid ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said ordinance has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City

Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said ordinance would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 6th day of November, 2018.

[SEAL]

City Secretary
City of Deer Park, Texas



Legislation Details (With Text)

File #: APT 18-010 **Version:** 1 **Name:**
Type: Appointment **Status:** Agenda Ready
File created: 10/31/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on appointing the City's Representative to an Arbitration Committee.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on appointing the City's Representative to an Arbitration Committee.

Summary:

Pursuant to Section 5.14 of the Deer Park City Charter, an employee who has been discharged from the City of Deer Park may file for arbitration within fourteen (14) days of termination.

We have an employee who recently was terminated from employment with City of Deer Park who has filed for arbitration.

Fiscal/Budgetary Impact:

None

Appoint the City's representative to an Arbitration Committee



Legislation Details (With Text)

File #: AUT 18-103 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on authorization 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
11/6/2018	1	City Council		

Consideration of and action on authorization 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

The DPCDC Board met on October 22, 2018 and recommended this action.

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 18-107 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on authorization 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
11/6/2018	1	City Council		

Consideration of and action on authorization 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

The DPCDC Board met on October 22, 2018 and recommended this action.

Authorize 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.

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

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

Address: 14800 St. Mary's Lane, Suite 160
Houston, TX 77079-2943

E-Mail
Address: csandberg@deerparktx.org

E-Mail
Address: tmay@half.com

Phone: 281-478-2054

Phone: 713-588-2484

Fax: 281-479-8091

Fax: 281-310-5259



Legislation Details (With Text)

File #: AUT 18-108 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on authorizing a professional services agreement with Brinkley Sargent Wigington Architects for a needs assessment study for a new Community Center.

Sponsors:

Indexes:

Code sections:

Attachments: [DPCC Needs Contract 2018-10-31 \(002\)](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on authorizing a professional services agreement with Brinkley Sargent Wigington Architects for a needs assessment study for a new Community Center.

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. The DPCDC met on October 22, 2018 and recommended that Task Order No. 16-005-A to Halff Associates 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.

Attached is a proposed professional services agreement with Brinkley, Sargent, Wigington Architects. The scope of the agreement would include:

- 1.) Develop a Needs Assessment for a new community recreation center.
- 2.) Develop a Needs Assessment for an indoor pool.
- 3.) Evaluate existing pool facility for continued use and potential year-round operation.
- 4.) Develop a complete project budgets for three conceptual project options within Dow Park.
- 5.) Develop conceptual site plan for the selected option within Dow Park.

The proposed fees are summarized below:

Basic Service Compensation:

- Architectural Fees \$50,000
- Existing Pool Assessment \$11,225
- *Reimbursable allowance (estimated) \$ 6,000

Total Fees & Reimbursable Costs \$67,225

* Reimbursable expenses will be billed at cost plus 10% for administrative purposes.

Additional Services Upon Request: Estimated operations model on community center \$20,000

Fiscal/Budgetary Impact:

Basic Services Cost: \$67,225. Additional Services upon request: \$20,000. Type B funds are available for this purpose.

Authorize a professional services agreement with Brinkley Sargent Wigington Architects for a needs assessment for a new Community Center.

AGREEMENT FOR ARCHITECTURAL SERVICES

DEER PARK COMMUNITY CENTER NEEDS ASSESSMENT

This Agreement is made and entered into in Deer Park, Harris County, Texas on the ____ day of _____, 2018; by and between

The City of Deer Park, a Municipal Corporation in the State of Texas

And

Brinkley Sargent Wiginton Architects, Inc., [ARCHITECT] duly licensed, and practicing under the laws of the State of Texas.

Said Agreement being executed by the City pursuant to the City Charter, Ordinances, and Resolutions of the City Council, and by the ARCHITECT for ARCHITECTURAL services hereinafter set forth in connection with the above-designated Project for the City of Deer Park.

DEER PARK retains [ARCHITECT] to perform ARCHITECTURAL services related to the study of a proposed new Community Center project in Dow Park in return for consideration to be paid by DEER PARK under terms and conditions set forth below.

ARTICLE 1. SCOPE OF WORK

- 1.1 ARCHITECT will provide ARCHITECTURAL, design, consultation, project management, and other services as required to perform and complete the Scope of Work & Services specifically identified in Attachment A of this Agreement. The Services Scope of Work (the “Work”) and the time schedules set forth in Attachment A are based on information provided by DEER PARK and ARCHITECT. The schedule of milestones and deliverables are essential terms of this Agreement.
- 1.2 If this information is incomplete or inaccurate, or if site conditions are encountered which materially vary from those indicated by DEER PARK, or if DEER PARK directs ARCHITECT to change the original Scope of Work shown in Schedule A, a written amendment equitably adjusting the costs, performance time and/or terms and conditions, shall be executed by DEER PARK and ARCHITECT.
- 1.3 DEER PARK reserves the right to retain ARCHITECT to proceed into design and construction phases of project, with fees to be agreed upon at that time. Should design work proceed as contemplated by the study outcome without significant changes,

ARCHTECT will credit a commiserate portion of the schematic design fee, as agreed upon by both parties.

ARTICLE 2. COMPENSATION

- 2.1 ARCHTECT bills for its services on a time and materials basis using the Schedule of Rates and Terms entitled Estimated Level of Effort (“Schedule of Rates”) attached as Schedule B of this Agreement. As requested, ARCHTECT has provided fee proposal for the Work, attached as “Exhibit A”. ARCHTECT will not exceed that fee without prior approval from DEER PARK. ARCHTECT will notify DEER PARK, for approval, of any proposed revisions to the Schedule of Rates and effective date thereof which shall not be less than thirty (30) days after such notice.
- 2.2 ARCHTECT will submit monthly invoices for Services rendered, and DEER PARK will make payment within thirty (30) days of receipt of ARCHTECT’S invoices. If DEER PARK objects to all or any portion of an invoice, it will notify ARCHTECT of the same within fifteen (15) days from the date of receipt of the invoice and will pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion of the invoice. Prices or rates quoted do not include state or local taxes.

ARTICLE 3. DEER PARK’S RESPONSIBILITIES

- 3.1 DEER PARK will designate in writing the person or persons with authority to act on DEER PARK’s behalf on all matters concerning the work to be performed.
- 3.2 DEER PARK will furnish to ARCHTECT all existing studies, reports, data and other information available to DEER PARK necessary for performance of the Work, authorize ARCHTECT to obtain additional data as required, and furnish the services of others where necessary for the performance of the Work. ARCHTECT will be entitled to use and rely upon all such information and services.
- 3.3 Where necessary to performance of the Work, DEER PARK shall arrange for ARCHTECT to have access to any site or property.

ARTICLE 4. PERFORMANCE OF SERVICE

- 4.1 ARCHTECT’s services will be performed within the schedule and time period set forth in Exhibit A.
- 4.2 ARCHTECT shall perform the Work, and any additional services as may be required, for the development of the Project to completion.

- 4.3 If required, additional services will be performed and completed within the time period agreed to in writing by the parties at the time such services are authorized.
- 4.4 If any time period within or date by which any of ARCHITECT's services are to be performed is exceeded for reasons outside of ARCHITECT's reasonable control, all rates, measures and amounts of compensation and the time for completion of performance shall be subject to equitable adjustment.

ARTICLE 5. CONFIDENTIALITY

- 5.1 ARCHITECT will hold confidential all information obtained from DEER PARK, not previously known by ARCHITECT or in the public domain.

ARTICLE 6. STANDARD OF CARE & WARRANTY

- 6.1 Standard of Care. In performing services, ARCHITECT agrees to exercise professional judgment, made on the basis of the information available to ARCHITECT, and to perform its ARCHITECTURAL services with the professional skill and care of competent design professionals practicing in the same or similar locale and under the same or similar circumstances and professional license. ARCHITECT also agrees to perform its ARCHITECTURAL services as expeditiously as is prudent considering this standard of care. This standard of care shall be judged as of the time and place the services are rendered, and not according to later standards.
- 6.2 Warranty. If any failure to meet the foregoing standard of care Warranty appears during one year from the date of completion of the service and ARCHITECT is promptly notified thereof in writing, ARCHITECT will at its expense re-perform the nonconforming work.
- 6.3 The foregoing Warranty is the sole and express warranty obligation of ARCHITECT and is provided in lieu of all other warranties, whether written, oral, implied or statutory, including any warranty of merchantability. ARCHITECT does not warrant any products or services of others. ARCHITECT, however, expressly acknowledges that these warranty obligations do not eliminate the applicability of the standard of care to all of its work and that the OWNER may still retain remedies against ARCHITECT following the expiration of the warranty period in contract, tort, or otherwise as the law allows.

ARTICLE 7. INSURANCE

- 7.1 ARCHITECT will procure and maintain insurance as required by law. At a minimum, ARCHITECT will have the following coverage:
 - (1) Workers compensation and occupational disease insurance in statutory amounts.

- (2) Employer's liability insurance in the amount of \$1,000,000.
- (3) Automobile liability in the amount of \$1,000,000.
- (4) Commercial General Liability insurance for bodily injury, death or loss of or damage to property of third persons in the amount of \$1,000,000 per occurrence, \$2,000,000 in the aggregate.
- (5) Professional errors and omissions insurance in the amount of \$1,000,000.

7.2 ARCHITECT has provided a Statement of Insurance to DEER PARK demonstrating and reflecting that ARCHITECT has procured and maintains insurance coverage in accordance with the requirements stated above. That Statement of Insurance is Attachment C of this Agreement.

ARTICLE 8. INDEMNITY

8.1 TO THE FULLEST EXTENT PERMITTED BY LAW, ARCHITECT SHALL INDEMNIFY, AND HOLD HARMLESS THE CITY OF DEER PARK, ITS OFFICERS, OFFICIALS, AGENTS, DIRECTORS, AND EMPLOYEES, FROM AND AGAINST ALL CLAIMS, CAUSES OF ACTION, DAMAGES, LOSSES, LAWSUITS, JUDGMENTS, FINES, PENALTIES, OR LIABILITY OF ANY CHARACTER, TYPE OR DESCRIPTION INCLUDING WITHOUT LIMITATION, ALL EXPENSES OF LITIGATION, INCLUDING EXPERT OR CONSULTANT FEES, COURT COSTS, AND ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM BODILY INJURY OR DEATH OF ANY PERSON, OR PROPERTY DAMAGE, OR OTHER HARM TO THE EXTENT SUCH BODILY INJURY, PROPERTY DAMAGE, OR HARM ARISES OUT OF OR IS OCCASIONED BY THE NEGLIGENCE, INTENTIONAL TORT, INTELLECTUAL PROPERTY INFRINGEMENT, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY THE ARCHITECT OR THE ARCHITECT'S AGENT, CONSULTANT UNDER CONTRACT, OR ANOTHER ENTITY OVER WHICH THE INDEMNITOR EXERCISES CONTROL.

IF THE CITY DEFENDS AN ACTION, CLAIM, LAWSUIT OR OTHERWISE INCURS ATTORNEY'S FEES AS A RESULT OF AN INDEMNIFIED CLAIM AS STATED ABOVE, ARCHITECT AGREES TO REIMBURSE THE CITY IN PROPORTION TO THE ARCHITECT'S LIABILITY.

8.2 ARCHITECT agrees to and shall contractually require its consultants and subcontractors of any tier to assume the same indemnification obligations to Indemnities as stated herein.

ARTICLE 9. OWNERSHIP OF DOCUMENTS

9.1 As long as DEER PARK is current in the payment of all undisputed invoices, all work product prepared by the ARCHITECT pursuant to this Agreement, including, but not

limited to, all Contract Documents, Plans and Specifications and any computer aided design, shall be the sole and exclusive property of DEER PARK, subject to the ARCHITECT's reserved rights.

- 9.2 ARCHITECT's technology, including without limitation customary techniques and details, skill, processes, knowledge, and computer software developed or acquired by ARCHITECT or its Consultants to prepare and manipulate the data which comprises the instruments of services shall all be and remain the property of the ARCHITECT.

ARTICLE 10. INDEPENDENT CONTRACTOR

- 10.1 The ARCHITECT is an independent contractor and shall not be regarded as an employee or agent of the DEER PARK.

ARTICLE 11. COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS

- 11.1 The ARCHITECT shall observe all applicable provisions of the federal, state and local laws and regulations, including those relating to equal opportunity employment.

ARTICLE 12. SAFETY

- 12.1 DEER PARK shall inform the ARCHITECT and its employees of any applicable site safety procedures and regulations known to DEER PARK as well as any special safety concerns or dangerous conditions at the site. The ARCHITECT and its employees will be obligated to adhere to such procedures and regulations once notice has been given.
- 12.2 ARCHITECT shall not have any responsibility for overall job safety at the site. If in ARCHITECT's opinion, its field personnel are unable to access required locations or perform required services in conformance with applicable safety standards, ARCHITECT may immediately suspend performance until such safety standards can be attained. If within a reasonable time site operations or conditions are not brought into compliance with such safety standards, ARCHITECT may in its discretion terminate its performance, in which event, DEER PARK shall pay for services and termination expenses as provided in Article 18.

ARTICLE 13. LITIGATION

- 13.1 At the request of DEER PARK, ARCHITECT agrees to provide testimony and other evidence in any litigation, hearings or proceedings to which DEER PARK is or becomes a party in connection with the work performed under this Agreement, unless DEER PARK and the ARCHITECT are adverse to one-another in any such litigation.

- 13.2 Any litigation arising out of this Agreement between DEER PARK and ARCHITECT shall be heard by the state district courts of Harris County.

ARTICLE 14. NOTICE

- 14.1 All notices to either party by the other shall be deemed to have been sufficiently given when made in writing and delivered in person, by electronic mail, facsimile, certified mail or courier to the address of the respective party or to such other address as such party may designate.

ARTICLE 15. TERMINATION

- 15.1 The performance of work may be terminated or suspended by DEER PARK, for any reason. Such suspension or termination shall be subject to notice of DEER PARK's election to either suspend or terminate the Agreement fifteen (15) days' prior to the effective suspension or termination date. The Notice shall specify the extent to which performance of work is suspended or terminated and the date upon which such action shall become effective. In the event work is terminated or suspended by DEER PARK prior to the completion of services contemplated hereunder, ARCHITECT shall be paid for (i) the services rendered to the date of termination or suspension and reasonable services provided to effectuate a professional and timely project termination or suspension.

ARTICLE 16. SEVERABILITY

- 16.1 If any term, covenant, condition or provision of this Agreement is found by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement shall remain in full force and effect, and shall in no way be affected, impaired or invalidated thereby.

ARTICLE 17. WAIVER

- 17.1 Any waiver by either party or any provision or condition of this Agreement shall not be construed or deemed to be a waiver of a subsequent breach of the same provision or condition, unless such waiver is so expressed in writing and signed by the party to be bound.

ARTICLE 18. GOVERNING LAW

- 18.1 This Agreement will be governed by and construed and interpreted in accordance with the laws of the State of Texas.

ARTICLE 19. CAPTIONS

- 19.1 The captions contained herein are intended solely for the convenience of reference and shall not define, limit or affect in any way the provisions, terms and conditions hereof or their interpretation.

ARTICLE 20. ENTIRE AGREEMENT

- 20.1 This Agreement, its articles, provision, terms, and attached Schedules represent the entire understanding and agreement between DEER PARK and ARCHITECT and supersede any and all prior agreements, whether written or oral, and may be amended or modified only by a written amendment signed by both parties.

This Agreement is effective on the last day signed.

Brinkley Sargent Wiginton Architects, Inc.

The City of Deer Park

By

By_____

Name

Name_____

Stephen Springs, AIA

Title

Title_____

Senior principal

Date

Date_____

October 31, 2018

SCHEDULE A

SCOPE OF SERVICES

The proposed project consists of providing a needs assessment for a proposed new Community Center project as outlined in attached Exhibit A.

SCHEDULE B

COMPENSATION AND RATES

Fees for the scope of services shall be as proposed in attached Exhibit A. Any adjustments to scope and fee shall be as mutually agreed upon by both parties. Any adjustments based on hourly rates shall be based on Exhibit B (architectural) and Attachment II (aquatic consultant).

EXHIBIT A

October 31, 2018

Charlie Sandberg
Director of Parks and Recreation
City of Deer Park
710 East San Augustine
Deer Park, Texas 77536

RE: Community Recreation Center and Aquatic Study

Dear Charlie:

We are pleased to submit this Consulting Services Proposal for the development of a Community Center Needs Assessment: This agreement is between the City of Deer Park, Texas ("City") and Brinkley Sargent Wiginton Architects, Inc. ("BSW").

A. Scope of Work

- 1.) Develop a Needs Assessment for a new community recreation center.
- 2.) Develop a Needs Assessment for an indoor pool.
- 3.) Evaluate existing pool facility for continued use and potential year-round operation.
- 4.) Develop a complete project budgets for three conceptual project options within Dow Park.
- 5.) Develop conceptual site plan for the selected option within Dow Park.
- 6.) Reference Exhibit B for a more complete description of tasks.

B. Study Final Deliverables:

- 1.) Needs assessment documentation.
- 2.) Project budgets for new building options.
- 3.) Conceptual site plan of selected option meeting City needs.
- 4.) One conceptual rendering of building.
- 5.) Operational cost analysis of proposed building (Optional).

C. Study Assumptions:

- 1.) Environmental assessment of existing buildings is not included in these services.
- 2.) A city-led steering committee will guide the Needs Assessment process.
- 3.) Consultant is not required to host general public input meetings.
- 4.) Consultant will present status updates at project milestones to public bodies.
- 5.) Scope of work is limited to development of activities defined in Exhibit B.

D. City Provided Data

- 1.) Survey data to be provided by City.
- 2.) Existing programming and operational data to be provided by City.

E. Schedule

- 1.) Initial meeting will occur within two weeks of BSW receipt of executed contract.

<u>Meeting</u>	<u>Activities</u>
1.)	1 day of meetings with department and steering committee to prioritize anticipated programming needs.
2.)	1 day of meeting(s) to confirm and rank programmatic needs with staff and city designated representatives.
3.)	1 day of meeting(s) to review scoping options and site test fits.
4.)	1 day of meeting(s) to review refinement of option(s) and project budget(s).
5.)	1 day of meeting(s) to present report to Council, Parks & Recreation Commission and Deer Park CDC.
6.)	1 additional meeting day (TBD) for use as may be required by City for any reason.
7.)	Monthly meetings during course of effort (via web meeting or conference call as needed).

- 2.) Schedule assumes 14 weeks from receipt of contract to issuance of draft report. This schedule assumes a two-week dead period to accommodate holiday season. Final report will be issued within one week following receipt of City draft report comments.

3.) Basic Service Compensation:

Architectural Fees	\$50,000
Existing Pool Assessment	\$11,225
*Reimbursable allowance (estimated)	\$ 6,000
Total Fees & Reimbursable Costs	\$67,225

* Reimbursable expenses will be billed at cost plus 10% for administrative purposes.

4.) Additional Services Upon Request:

Estimated operations model on community center	\$20,000
--	----------

We look forward to working with the City on this exciting and important project!

Stephen Springs, AIA

Senior Principal

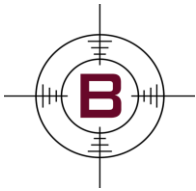
BRINKLEY SARGENT WIGINTON ARCHITECTS

EXHIBIT B

**BILLING RATES
2018**

<u>TITLE</u>	<u>RATE/hr.</u>
Senior Principal	270.00
Principal	210.00
Project Manager	200.00
Project Architect	165.00
Senior Designer	145.00
Staff Architect	130.00
Architectural Designer II	125.00
Architectural Designer I	95.00
Senior Interior Designer	125.00
Interior Designer	110.00
Construction Administrator	140.00
Senior Programmer	140.00
Senior Planner	105.00
Administration	80.00

Billing Rates are reviewed by Architects yearly. Rates are subject to adjustment July 1st of each year



THE C.T. BRANNON CORPORATION

AQUATIC CONSULTANTS | CIVIL ENGINEERS | AIRPORT CONSULTANTS

Attachment II

Current Hourly Charges for Professional Services

PERSONNEL

Charges include all salaries, salary expense, overhead and profit.

Sr. Principal, C. Terry Brannon, P.E.	\$ 225.00
Principal (Rea Boudreaux, P.E., Bob Breedlove, P. E. Kirk Bynum, P.E.)	\$ 175.00
Jr. Principal (Travis Bozick, P.E.)	\$ 150.00
Senior Project Manager	\$ 145.00
Project Manager	\$ 125.00
Licensed Engineer	\$ 110.00
Graduate Engineer III	\$ 90.00
Graduate Engineer II	\$ 85.00
Graduate Engineer I	\$ 80.00
Intern	\$ 45.00
Civil Technician	\$ 85.00
CAD Draftsman	\$ 80.00
Resident Project Representative	\$ 90.00
Construction Services Manager	\$ 95.00
Construction Services Technician	\$ 75.00
Office Technician	\$ 80.00
Marketing Director	\$ 65.00
Clerical	\$ 60.00

EXPENSES

Reproduction	
B/W 8.5x11 per each	\$ 0.15
Colored prints 8.5x11 per each	\$ 1.00
Colored prints 11x17 per each	\$ 1.50
"C", "D" or "E" size Bond per each	\$ 5.00
"C", "D" or "E" size Vellum per each	\$ 15.00
"C", "D" or "E" size Mylar Film per each	\$ 10.00
Travel per mile	\$ 0.55
Lodging and meals (Out of town trips)	Actual Cost
Scanning	
"C", "D" or "E" sized Scanning of original per sheet (does not include plot)	\$ 2.00

Special contracted services such as reproduction, aerial photography, GPS (Global Positioning Satellite) surveys, contract surveying, geotechnical investigations, project models and artists renderings, and contract project representation is billed at the amount invoiced to us plus ten percent (10%).

January 18, 2018



1321 SOUTH BROADWAY
P.O. BOX 7487
TYLER, TX 75711
PHONE (903) 597-2122
FAX (903) 597-3346

WWW.BRANNONCORP.COM
TEXAS REGISTERED ENGINEERING FIRM
TEXAS REGISTRATION #F-242
REGISTERED IN: AL, AR, CO, FL, GA, LA, MO
MS, NE, NM, NV, OK, TN, VA



Legislation Details (With Text)

File #: AUT 18-110 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**

Title: Consideration of and action on authorizing negotiation of a proposed professional service agreement Burditt Consultants for the development of hike and bike trails.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on authorizing negotiation of a proposed professional service agreement Burditt Consultants 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. Task Order No. 16-007 with Halff Associates was for professional services related to the development of hike and bike trails.

The DPCDC met on October 22, 2018 and recommended that Task Order No. 16-007 be terminated. Originally, six (6) firms submitted Statements of Qualifications (SOQs) for the DPCDC Type B funded projects. The selection committee that reviewed these SOQs, scored, ranked and interviewed the top two firms. Halff Associates, Inc. was ranked as the top ranked firm and Burditt Consultants as the 2nd ranked firm. Since the Task Order No. 16-007 with Halff Associates has been recommended to be terminated, it is proposed that staff be authorized to negotiate a proposed professional services agreement with Burditt Consultants. Once the proposed agreement has been developed, it will be submitted to Council for consideration and approval.

Fiscal/Budgetary Impact:

Type B funds are available for this purpose.

Authorize negotiation of a proposed professional service agreement Burditt Consultants for the development of hike and bike trails.



Legislation Details (With Text)

File #: AGR 18-034 **Version:** 1 **Name:**
Type: Agreement **Status:** Agenda Ready
File created: 10/29/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on an amendment to the agreement with the Crime Control Prevention District (CCPD) for Personnel, Vehicles, Facilities, Equipment, and Investments.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments: [Agreement-City CCPD-AMENDMENT #2 FY 2018-2019](#)
[Exhibit A - CCPD FY 2018-2019 Budget](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an amendment to the agreement with the Crime Control Prevention District (CCPD) for Personnel, Vehicles, Facilities, Equipment, and Investments.

Summary:

Update - In May of 2011, the citizens of Deer Park voted to create the Deer Park Crime Control Prevention District (CCPD). In November of 2011, the City Council and the CCPD Board of Directors entered into an agreement for Personnel, Vehicles, Facilities and Equipment. The CCPD has no staff and rather than duplicate services, the City and CCPD entered into this agreement, whereby, the City performs administrative services for the district such as purchasing, hiring, and supervising employees. The original agreement was for the 2011-2012 fiscal year but contained a provision allowing the parties to amend the agreement. The agreement was amended four times as follows: in 2012 for FY 2012-2013, in 2013 for FY 2013-2014, in 2014 for FY 2014-2015, in 2015 for FY 2015-2016.

In May of 2016, the citizens of Deer Park voted to continue the CCPD for a period of ten (10) years. In October 2016, a new agreement between the City and the CCPD was approved rather than continuing to amend the original agreement each year. For FY 2017-2018 an amendment to the agreement was approved. A second amendment to the agreement was approved by the CCPD Board on October 15, 2018 and it is proposed that City Council now approve said amendment. The adopted FY 2018-2019 Budget is also attached as Exhibit A. Funding comes from the dedicated 1/4% sales and use tax.

Fiscal/Budgetary Impact:

The cost of all of the CCPD's programs for FY 2018-2019 will come from the dedicated CCPD 1/4% sales and use tax.

Approve the amendment to the agreement.

AMENDMENT NO. 2 TO THE AGREEMENT FOR PERSONNEL, VEHICLES, FACILITES AND EQUIPMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, an Agreement for Personnel, Vehicles, Facilities and Equipment (the “Agreement”) was executed in October 2016, by and between the CITY OF Deer Park, a municipal corporation located in Harris County, Texas, (the “City”) and the DEER PARK CRIME CONTROL AND PREVENTION DISTRICT, a crime control and prevention district created under Chapter 363 of the Texas Local Government Code, as amended, (the “Act”) and located in Harris County, Texas, (the “District”).

WHEREAS, Section 5 of said Agreement provides that term of the Agreement shall be October 1, 2016, and ending one year after the date the District first levies taxes for District purposes, unless sooner terminated by either party hereto pursuant to the terms hereof or unless the District is dissolved prior to such time). The agreement further provides that it may be extended by mutual consent of the governing bodies of both parties. Any such extension or amendment of this agreement will be in writing.

WHEREAS, in 2017 Amendment No. 1 to the agreement was approved, wherein, it was agreed by the City and the District that the Agreement be extended for one additional year, beginning on October 1, 2017, and ending one year after the date the District first levies taxes for District purposes, unless sooner terminated by either party hereto pursuant to the terms hereof or unless the District is dissolved prior to such time. It was further agreed that this Agreement may be further extended by mutual consent of the governing bodies of both parties, and that any such extension or amendment will be in writing.

WHEREAS, for and in consideration of the mutual covenants herein contained, it is agreed by the City and the District that the Agreement shall be extended for one additional year, beginning on October 1, 2018, and ending one year after the date the District first levies taxes for District purposes, unless sooner terminated by either party hereto pursuant to the terms hereof or unless the District is dissolved prior to such time. It is further agreed that this Agreement may be further extended by mutual consent of the governing bodies of both parties, and that any such extension or amendment will be in writing.

WHEREAS, the Agreement is hereby amended to include the following additional provisions:

1. Funds to be provided by the District.

For and in consideration of the services to be provided by the City in furtherance of the District’s programs, the District shall provide the funds to the City for the actual costs of such programs for FY 2018-2019. A summary of the funds to be provided by the District for FY 2018-2019 is below. The adopted budget for FY 2018-2019 is included in the attached Exhibit A.

Type of Expenditure	Amount
Personnel & Related	\$ 686,418.00
Services	\$ 157,558.00
Supplies	\$ 208,457.00
Repairs & Maintenance	\$ 69,446.00
Other Operating Expenditures	\$ 14,396.00
Capital Outlay	\$ 829,342.00
Transition Fund	\$ 0.00
Total Expenditures	\$ 1,965,617.00

Unless otherwise provided, all payments required to be made herein shall be payable on or before 30 days after the District receives the sales and use tax levied pursuant to the provisions of the Act from the State comptroller. While the District receives such funds from the State on a monthly basis, the District's obligations under this Agreement are on a yearly basis. As such, any funds received by the District during an agreement year and/or any prior year shall be applied to the actual expenses incurred during each year, regardless of when they are received.

The City understands and agrees that the District's obligation for payment under this Agreement shall at no time exceed the amount of sales and use tax revenue received by the District in any agreement year. If adequate funds are not received, the District shall have the obligation to pay the revenues actually received and the City shall be obligated to expend only to the extent that such revenues cover the programs enumerated hereinabove.

All other provisions of the Agreement shall remain in full force and effect.

The officers executing this Agreement on behalf of the parties hereby represent that such officers have full authority to execute this Agreement and to bind the party he/she represents.

IN WITNESS WHEREOF, the parties have made and executed this contract in multiple copies, each of which shall be an original.

CITY OF DEER PARK

**DEER PARK CRIME CONTROL AND
PREVENTION DISTRICT**

JERRY MOUTON, JR., Mayor

_____, President

ATTEST:

ATTEST:

SHANNON BENNETT, City Secretary

SHANNON BENNETT, Secretary

Date Signed: _____

Date Signed: _____

CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET

REVENUE SUMMARY

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROJECTED 18-19
Tax Revenue	\$ 1,607,891	\$ 1,366,800	\$ 1,525,700	\$ 1,435,200	\$ 1,435,200
Other Revenue	41,707	-	10,800	11,000	11,000
Prior Year Revenue	<u>1,052,897</u>	<u>75,296</u>	<u>-</u>	<u>462,080</u>	<u>519,417</u>
Total Revenue	<u>\$ 2,702,495</u>	<u>\$ 1,442,096</u>	<u>\$ 1,536,500</u>	<u>\$ 1,908,280</u>	<u>\$ 1,965,617</u>

**CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET**

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROJECTED 18-19
<u>3100 TAX REVENUE</u>					
3120 Sales Tax Revenue	\$ 1,607,891	\$ 1,366,800	\$ 1,525,700	\$ 1,435,200	\$ 1,435,200
Total Tax Revenue	<u>1,607,891</u>	<u>1,366,800</u>	<u>1,525,700</u>	<u>1,435,200</u>	<u>1,435,200</u>
<u>3600 OTHER REVENUE</u>					
3614 Sale of Surplus Material	6,761	-	10,000	10,000	10,000
3620 Investment Revenue	1,596	-	800	1,000	1,000
3630 Insurance Reimbursement	<u>33,350</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Other Revenue	<u>41,707</u>	<u>-</u>	<u>10,800</u>	<u>11,000</u>	<u>11,000</u>
 Prior Year Revenue	 <u>1,052,897</u>	 <u>75,296</u>	 <u>-</u>	 <u>462,080</u>	 <u>519,417</u>
 TOTAL REVENUE	 <u>\$ 2,702,495</u>	 <u>\$ 1,442,096</u>	 <u>\$ 1,536,500</u>	 <u>\$ 1,908,280</u>	 <u>\$ 1,965,617</u>

**CITY OF DEER PARK
2018-2019 ANNUAL BUDGET
CRIME CONTROL AND PREVENTION DISTRICT EXPENDITURE SUMMARY**

DEPARTMENT	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
Total Police Services	\$ 2,702,495	\$ 1,442,096	\$ 1,131,519	\$ 1,908,280	\$ 1,965,617
TOTAL EXPENDITURES	\$ 2,702,495	\$ 1,442,096	\$ 1,131,519	\$ 1,908,280	\$ 1,965,617

**CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET**

EXPENDITURE SUMMARY

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
Personnel & Related	\$ 356,357	\$ 693,739	\$ 329,900	\$ 686,418	\$ 686,418
Services	79,919	105,294	100,261	144,617	157,558
Supplies	108,320	180,826	166,706	208,457	208,457
Repairs & Maintenance	-	-	15,000	39,446	69,446
Other Operating Expenditures	-	15,000	-	-	14,396
Capital Outlay	2,157,900	447,237	519,652	829,342	829,342
Transition Fund	-	-	-	-	-
Total Expenditures	\$ 2,702,495	\$ 1,442,096	\$ 1,131,519	\$ 1,908,280	\$ 1,965,617

PERSONNEL SCHEDULE

Crime Prevention Officer	1	1	1	1	1
Sergeant - Investigations	1	1	1	1	1
Pro-Act Investigators	0	2	2	2	2
Dispatcher	3	3	3	3	3

PROGRAM DESCRIPTION

The purpose of this special revenue district is to enhance the capability of law enforcement and to further crime prevention programs in Deer Park.

**CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET**

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4100 PERSONNEL & RELATED</u>					
4101 Salaries - Full Time	\$ 230,046	\$ 458,861	\$ 233,300	\$ 467,310	\$ 467,310
4104 Salaries - Overtime	12,066	20,000	19,250	20,000	20,000
4106 Social Security/Medicare	18,436	36,304	19,100	37,035	37,035
4107 TMRS	36,278	69,224	36,900	70,731	70,731
4108 Health & Life Insurance	34,920	105,852	19,550	88,632	88,632
4109 Workers Compensation	1,358	3,273	1,700	2,485	2,485
4114 Section 125 Admin Fee	56	225	100	225	225
4117 Health Savings Account	-	-	-	-	-
4197 Pension Expense	23,197	-	-	-	-
Total Personnel & Related	356,357	693,739	329,900	686,418	686,418
<u>4200 SERVICES</u>					
4231 Equipment Rental	9,000	21,600	15,600	21,600	21,600
4239 Audit Fee	2,000	2,000	2,000	2,000	2,000
4250 Training & Travel	18	1,410	2,500	1,970	1,970
4252 Dues & Fees	297	718	718	10,444	10,444
4279 Software - Other	68,603	79,566	79,019	103,332	116,273
4290 Contract Labor	-	-	424	5,271	5,271
Total Services	79,919	105,294	100,261	144,617	157,558
<u>4300 SUPPLIES</u>					
4304 Data Processing Supplies	629	-	-	-	-
4307 Postage	7	327	40	327	327
4308 Small Tools & Minor Equipment	107,684	152,128	140,889	193,965	193,965
4314 Protective Clothing	-	28,371	25,777	14,165	14,165
Total Supplies	108,320	180,826	166,706	208,457	208,457
<u>4400 REPAIRS & MAINTENANCE</u>					
4402 Machinery & Equipment	-	-	-	1,500	1,500
4404 Buildings	-	-	-	30,088	30,088
4405 Radios	-	-	-	5,163	5,163
4409 Air Conditioners	-	-	-	2,695	2,695
4412 Grounds Maintenance	-	-	15,000	-	30,000
Total Repairs & Maintenance	-	-	15,000	39,446	69,446
<u>4500 OTHER OPERATING EXP.</u>					
4511 Salary Contingency	-	15,000	-	-	14,396
Total Other Operating Exp.	-	15,000	-	-	14,396

**CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET**

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4900 CAPITAL OUTLAY</u>					
4902 Buildings	1,126,627	65,000	188,456	479,000	479,000
4904 Machinery & Equipment	703,850	108,503	98,907	166,163	166,163
4906 Automobiles & Light Trucks	141,635	273,734	232,289	184,179	184,179
4908 Lease Purchase	185,788	-	-	-	-
4941 Consulting Engineer Fee	-	-	-	-	-
Total Capital Outlay	<u>2,157,900</u>	<u>447,237</u>	<u>519,652</u>	<u>829,342</u>	<u>829,342</u>
TOTAL OPERATING BUDGET	2,702,495	1,442,096	1,131,519	1,908,280	1,965,617
Transition Fund	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL EXPENDITURES	<u>\$ 2,702,495</u>	<u>\$ 1,442,096</u>	<u>\$ 1,131,519</u>	<u>\$ 1,908,280</u>	<u>\$ 1,965,617</u>

**CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET**

4100 - PERSONNEL & RELATED			
4101	Salaries - Full Time	\$	467,310
4104	Overtime		20,000
	Various Benefits (Total)		199,108
TOTAL PERSONNEL			686,418
4200 - SERVICES			
4231	Rental Vehicles for ProAct Team & CID Sergeant		21,600
4239	Annual Audit		2,000
4250	Training		1,970
	Accreditation Manager Training (on-line)	675	
	Train & re-certify Investigator in Cellebrite System	1,295	
4252	Dues & Fees		10,444
	Vehicle Registrations for PD Fleet	671	
	LeadsOnline annual subscription	4,748	
	Lexis Nexis annual subscription	5,025	
4279	Software - Other		116,273
	OSSI Agency Licensing Fee	46,295	
	OSSI Consortium Fee	30,441	
	Cellebrite UFED Annual License Renewal	3,999	
	Extended Warranty for Dispatch Equipment	12,379	
	ADORE Software to convert training files to PDF	750	
	IA Pro Professional Standards Software	13,385	
	LPR License Agreement (Vigilant)	6,000	
	SolarWinds Serv-U License for Records	3,024	
4290	Contract Labor		5,271
	Installation of new Modems & Antennas in fleet	5,271	
TOTAL SERVICES			157,558
4300 - SUPPLIES			
4307	Postage		327
4308	Equipment		193,965
	Media & Presentation Curtain	539	
	Modems & Antennas for fleet	13,047	
	AED Package/ Ambu Bags/ Trauma Kits	7,700	
	DataLux Tracer systems (5) w/printer, accessories	30,661	
	Equipment for (5) new Tahoes	66,706	
	Golden Eagle II Radars (6)	11,731	
	Laptop Computer for Training Facility	1,700	
	LED Monitors & Stands for Records (3)	831	
	Refrigerators (3) for Breakroom, Dispatch & EOC	3,465	
	Plastics Plus trunk organizers (5)	12,459	
	Projector for Briefing Room	800	
	Replace 20 chairs in PD	8,204	
	Stop Stick (7)	3,337	
	Wind & water tight storage container	2,785	
	Equipment for firing range & training facility	30,000	
4314	Protective Clothing		14,165
	Riot Gear for new member & repairs to equipment	2,000	
	SWAT Gas Masks & Filters	1,413	
	Replace 7 Tactical Carriers	10,752	
TOTAL SUPPLIES			208,457

**CITY OF DEER PARK
CRIME CONTROL AND PREVENTION DISTRICT (CCPD)
2018-2019 ANNUAL BUDGET**

4400 - MAINTENANCE			
4402	Equipment Maintenance		1,500
	DataLux Tracer maintenance/repairs	1,500	
4404	Building Maintenance		30,088
	Paint Sally Port & Juvenile Detainee Cell	27,762	
	Re-cover lobby furniture at the PD	2,326	
4405	Radio Maintenance		5,163
	Tune & align radios not under warranty	5,163	
4409	A/C Maintenance		2,695
	HVAC Shutdown to connect AHU-2 & AHU-3	2,695	
4412	Grounds Maintenance		30,000
	Grounds maintenance for the new firing range	30,000	
TOTAL MAINTENANCE			<u>69,446</u>
4500 - OTHER OPERATING EXPENDITURES			
4511	Salary Contingency		14,396
	1.8% salary adjustment per Compensation Study		
			<u>14,396</u>
4900 - CAPITAL OUTLAY			
4902	Building		479,000
	Gun range remaining construction costs	414,000	
	Building for weapons cleaning storage at range	65,000	
4904	Specialized Equipment		166,163
	Watch Guard In-Car Video System (5)	32,942	
	Cellebrite	69,500	
	Crisis Throw Phone	19,700	
	Replace A/C in EOC & Dispatch	18,135	
	Replace server/hardware for Higher Ground System	19,521	
	VHF equipment for Crossing Guard Channel	6,365	
4906	Vehicles		184,179
	Patrol Tahoes (5)	184,179	
TOTAL CAPITAL OUTLAY			<u>829,342</u>
TOTAL BUDGETED EXPENDITURES			<u><u>\$ 1,965,617</u></u>



Legislation Details (With Text)

File #:	AGR 18-035	Version:	1	Name:	
Type:	Agreement	Status:		Agenda Ready	
File created:	10/29/2018	In control:		City Council	
On agenda:	11/6/2018	Final action:			
Title:	Consideration of and action on an amendment to the agreement with the Fire Control, Prevention and Emergency Medical Services District (FCPEMSD) for Personnel, Vehicles, Facilities, Equipment, and Investments.				
Sponsors:	City Manager's Office				
Indexes:					
Code sections:					
Attachments:	Agreement-City&FCPEMSD-AMENDMENT#2 Exhibit A - FCPEMSD Budget FY 2018-2019				

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an amendment to the agreement with the Fire Control, Prevention and Emergency Medical Services District (FCPEMSD) for Personnel, Vehicles, Facilities, Equipment, and Investments.

Summary:

Update - In May of 2011, the citizens of Deer Park voted to create the Deer Park Fire Control, Prevention and Emergency Medical Services District. In November of 2011 the City Council and the FCPEMSD Board of Directors entered into an agreement for Personnel, Vehicles, Facilities and Equipment. The FCPEMSD has no staff and rather than duplicate services, the City and FCPEMSD entered into this agreement, whereby, the City performs administrative services for the district such as purchasing and hiring and supervising employees. The original agreement was for the 2011-2012 fiscal year but contained a provision allowing the parties to amend the agreement. The agreement was amended four times as follows: in 2012 for FY 2012-2013, in 2013 for FY 2013-2014, in 2014 for FY 2014-2015, in 2015 for FY 2015-2016.

In May of 2016 the citizens of Deer Park voted to continue the FCPEMSD for a period of ten (10) years. In October 2016 a new agreement between the City and the FCPEMSD was approved rather than continuing to amend the original agreement each year. For 2017-2018, an amendment to the agreement was approved. A second amendment to the agreement was approved by the FCPEMSD Board on October 29, 2018 and it is proposed that City Council now approve said amendment. The adopted FY 2018-2019 Budget is also attached as Exhibit A. Funding comes from the dedicated 1/4% sales and use tax.

Fiscal/Budgetary Impact:

The cost of all of the FCPEMSD's programs for FY 2018-2019 will come from the dedicated FCPEMSD 1/4% sales and use tax.

Approve the amendment to the agreement.

AMENDMENT NO. 2 TO AGREEMENT FOR PERSONNEL, SERVICES, VEHICLES, FACILITIES AND EQUIPMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, an Agreement for Personnel, Services, Vehicles, Facilities and Equipment (the “Agreement”) was made in December 2016, by and between the CITY OF DEER PARK, a municipal corporation located in Harris County, Texas, (the “City”) and the DEER PARK FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, a fire control, prevention, and emergency medical services district created under Chapter 344 of the Texas Local Government Code, as amended, (the “Act”) and located in Harris County, Texas, (the “District”). For and in consideration of the mutual covenants herein contained, it is agreed as follows:

WHEREAS, Section 5 of said Agreement provides that term of the Agreement shall be October 1, 2016, and ending one year after the date the District first levies taxes for District purposes, unless sooner terminated by either party hereto pursuant to the terms hereof or unless the District is dissolved prior to such time). The agreement further provides that it may be extended by mutual consent of the governing bodies of both parties. Any such extension or amendment of this agreement will be in writing.

WHEREAS, in 2017 Amendment No. 1 to the agreement was approved, wherein, it was agreed by the City and the District that the Agreement be extended for one additional year, beginning on October 1, 2017, and ending one year after the date the District first levies taxes for District purposes, unless sooner terminated by either party hereto pursuant to the terms hereof or unless the District is dissolved prior to such time. It was further agreed that this Agreement may be further extended by mutual consent of the governing bodies of both parties, and that any such extension or amendment will be in writing.

WHEREAS, for and in consideration of the mutual covenants herein contained, it is agreed by the City and the District that the Agreement shall be extended for one additional year, beginning on October 1, 2018, and ending one year after the date the District first levies taxes for District purposes, unless sooner terminated by either party hereto pursuant to the terms hereof or unless the District is dissolved prior to such time. It is further agreed that this Agreement may be further extended by mutual consent of the governing bodies of both parties, and that any such extension or amendment will be in writing.

WHEREAS, the Agreement is hereby amended to include the following additional provisions:

1. Funds to be provided by the District.

For and in consideration of the services to be provided by the City in furtherance of the District’s programs, the District shall provide the funds to the City for the actual costs of such programs for FY 2018-2019. A summary of the funds to be provided by the District for FY 2018-2019 is below. The adopted budget for FY 2018-2019 is included in the attached Exhibit A.

Type of Expenditure	Amount
Fire Services	
Personnel & Related	\$ 0.00
Services	110,500.00
Supplies	111,100.00
Repair & Maintenance	84,000.00
Other Operating Exp.	0.00
Capital Outlay	<u>157,600.00</u>
Total Fire Services Expenditures	<u>\$ 463,200.00</u>
Emergency Medical Services	
Personnel & Related	\$ 709,613.00
Services	83,500.00
Supplies	42,430.00
Repair & Maintenance	45,500.00
Other Operating Expenditures	12,299.00
Capital Outlay	<u>2,650,000.00</u>
Total Emergency Medical Services	<u>\$3,543,342.00</u>
Fire Marshal	
Personnel & Related	\$ 112,962.00
Services	16,000.00
Supplies	1,300.00
Repair & Maintenance	4,500.00
Other Operating Expenditures	1,920.00
Capital Outlay	<u>0.00</u>
Total Fire Marshal Expenditures	<u>\$ 136,682.00</u>
Total Expenditures	<u>\$ 4,143,224.00</u>

Unless otherwise provided, all payments required to be made herein shall be payable on or before 30 days after the District receives the sales and use tax levied pursuant to the provisions of the Act from the State comptroller. While the District receives such funds from the State on a monthly basis, the District's obligations under this Agreement are on a yearly basis. As such, any funds received by the District during an agreement year and/or any prior year shall be applied to the actual expenses incurred during each year, regardless of when they are received.

The City understands and agrees that the District's obligation for payment under this Agreement shall at no time exceed the amount of sales and use tax revenue received by the District in any agreement year. If adequate funds are not received, the District shall have the obligation to pay the revenues actually received and the City shall be obligated to expend only to the extent that such revenues cover the programs enumerated hereinabove.

All other provisions of the Agreement shall remain in full force and effect.

The officers executing this Agreement on behalf of the parties hereby represent that such officers have full authority to execute this Agreement and to bind the party he/she represents.

IN WITNESS WHEREOF, the parties have made and executed this contract in multiple copies, each of which shall be an original.

CITY OF DEER PARK

**DEER PARK FIRE CONTROL,
PREVENTION AND EMERGENCY
MEDICAL SERVICES DISTRICT**

JERRY MOUTON, JR., Mayor

SAM PIPKIN, President

ATTEST:

ATTEST:

SHANNON BENNETT, City Secretary

SHANNON BENNETT, Secretary

Date Signed: _____

Date Signed: _____

CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET

REVENUE SUMMARY

	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROJECTED 18-19
Tax Revenue	\$ 1,639,119	\$ 1,366,800	\$ 1,560,000	\$ 1,435,200	\$ 1,435,200
Other Revenue	1,601	-	1,100	600	600
Prior Year Revenue	-	2,443,543	-	2,680,615	2,707,424
Total Revenue	<u>\$ 1,640,720</u>	<u>\$ 3,810,343</u>	<u>\$ 1,561,100</u>	<u>\$ 4,116,415</u>	<u>\$ 4,143,224</u>

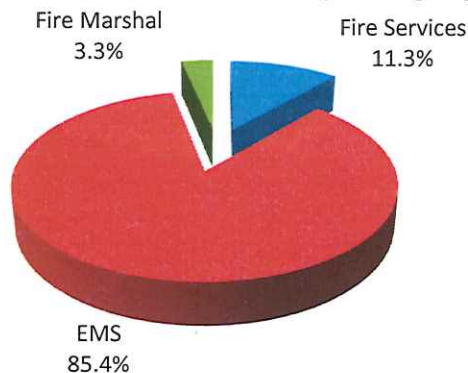
**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROJECTED 18-19
<u>3100 TAX REVENUE</u>					
3120 Sales Tax Revenue	\$ 1,639,119	\$ 1,366,800	\$ 1,560,000	\$ 1,435,200	\$ 1,435,200
Total Tax Revenue	<u>1,639,119</u>	<u>1,366,800</u>	<u>1,560,000</u>	<u>1,435,200</u>	<u>1,435,200</u>
<u>3600 OTHER REVENUE</u>					
3620 Investment Revenue	1,436	-	1,100	600	600
3631 Miscellaneous Revenue	<u>165</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Other Revenue	<u>1,601</u>	<u>-</u>	<u>1,100</u>	<u>600</u>	<u>600</u>
Prior Year Revenue	<u>-</u>	<u>2,443,543</u>	<u>-</u>	<u>2,680,615</u>	<u>2,707,424</u>
 TOTAL REVENUE	 <u>\$ 1,640,720</u>	 <u>\$ 3,810,343</u>	 <u>\$ 1,561,100</u>	 <u>\$ 4,116,415</u>	 <u>\$ 4,143,224</u>

**CITY OF DEER PARK
2018-2019 ANNUAL BUDGET
FIRE CONTROL, PREVENTION AND EMS DISTRICT EXPENDITURE SUMMARY**

DEPARTMENT	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>FIRE SERVICES</u>					
Personnel & Related	\$ -	\$ -	\$ -	\$ -	\$ -
Services	114,414	110,500	112,275	110,500	110,500
Supplies	102,500	206,100	151,025	111,100	111,100
Repairs & Maintenance	85,259	84,000	59,645	84,000	84,000
Other Operating Expenditures	-	-	-	-	-
Capital Outlay	66,571	187,000	184,320	157,600	157,600
Total Fire Services	368,744	587,600	507,265	463,200	463,200
<u>EMERGENCY MEDICAL SERVICES</u>					
Personnel & Related	575,363	668,676	640,440	697,023	709,613
Services	52,774	83,500	55,463	83,500	83,500
Supplies	41,034	49,630	42,900	42,430	42,430
Repairs & Maintenance	35,067	45,500	45,000	45,500	45,500
Other Operating Expenditures	-	-	-	-	12,299
Capital Outlay	165,426	2,250,000	100,000	2,650,000	2,650,000
Total Emergency Medical Services	869,664	3,097,306	883,803	3,518,453	3,543,342
<u>FIRE MARSHAL</u>					
Personnel & Related	80,568	88,137	85,155	112,962	112,962
Services	21,465	31,500	25,000	16,000	16,000
Supplies	-	1,300	1,025	1,300	1,300
Repairs & Maintenance	1,531	4,500	2,700	4,500	4,500
Other Operating Expenditures	-	-	-	-	1,920
Capital Outlay	11,000	-	-	-	-
Total Fire Marshal	114,564	125,437	113,880	134,762	136,682
TOTAL EXPENDITURES	\$ 1,352,972	\$ 3,810,343	\$ 1,504,948	\$ 4,116,415	\$ 4,143,224

Expenditure Allocation by Category



**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

TOTAL FCPEMSD

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4100 PERSONNEL & RELATED</u>					
4101 Salaries - Full Time	\$ 362,126	\$ 448,319	\$ 415,520	\$ 461,180	\$ 471,476
4102 Salaries - Part Time	5,452	12,000	7,550	29,500	29,500
4104 Salaries - Overtime	97,277	86,000	118,515	86,000	86,000
4106 Social Security/Medicare	35,557	41,615	40,300	43,907	44,696
4107 TMRS	68,437	77,566	76,610	79,544	81,049
4108 Health & Life Insurance	54,793	82,428	56,900	71,100	71,100
4109 Workers Compensation	4,435	6,815	3,535	5,139	5,139
4114 Section 125 Admin Fee	78	135	90	90	90
4117 Health Savings Account	1,934	1,935	3,345	5,025	5,025
4197 Pension Expense	25,842	-	3,230	28,500	28,500
Total Personnel & Related	655,931	756,813	725,595	809,985	822,575
<u>4200 SERVICES</u>					
4219 Mobile Technology	8,306	12,000	9,700	11,000	11,000
4239 Audit Fees	2,000	2,000	2,000	2,000	2,000
4250 Training and Travel	-	-	2,713	-	-
4252 Dues & Fees	1,576	4,250	325	4,250	4,250
4254 Inspections & Permits	26,550	21,250	18,000	21,250	21,250
4255 Community/Employee Affairs	3,249	8,500	8,500	10,000	10,000
4256 Santa Around Town	-	-	-	-	-
4279 Software - Other	16,231	27,000	13,200	27,000	27,000
4290 Contract Labor	130,741	150,500	138,300	134,500	134,500
Total Services	188,653	225,500	192,738	210,000	210,000
<u>4300 SUPPLIES</u>					
4301 Office Supplies	322	500	-	500	500
4303 Operational Supplies	19,050	39,800	32,000	39,730	39,730
4307 Postage	1	100	25	100	100
4308 Small Tools & Minor Equipment	40,936	143,730	128,025	42,500	42,500
4314 Protective Clothing	83,225	70,000	34,000	70,000	70,000
4346 Election Supplies	-	-	-	-	-
4348 Books	-	2,900	900	2,000	2,000
Total Supplies	143,534	257,030	194,950	154,830	154,830

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

TOTAL FCPEMSD

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4400 REPAIRS & MAINTENANCE</u>					
4401 Vehicles	23,874	41,500	40,800	41,500	41,500
4402 Machinery & Equipment	33,148	47,500	45,900	47,500	47,500
4404 Buildings	16,075	8,000	1,500	8,000	8,000
4405 Radios	5,453	10,000	9,145	10,000	10,000
4413 Drill Field	40,058	20,000	10,000	20,000	20,000
4430 Furniture & Fixtures	<u>3,249</u>	<u>7,000</u>	<u>-</u>	<u>7,000</u>	<u>7,000</u>
Total Repairs & Maintenance	<u>121,857</u>	<u>134,000</u>	<u>107,345</u>	<u>134,000</u>	<u>134,000</u>
<u>4500 OTHER OPERATING EXP.</u>					
4510 Contingency	-	-	-	-	-
4511 Salary Contingency	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>14,219</u>
Total Other Operating Exp.	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>14,219</u>
<u>4900 CAPITAL OUTLAY</u>					
4902 Buildings	-	2,000,000	-	2,500,000	2,500,000
4903 Improvements Other Than Bldgs.	-	-	-	-	-
4904 Machinery & Equipment	77,571	55,000	52,320	-	-
4906 Automobiles & Light Trucks	27,376	-	-	-	-
4907 Large Trucks/Heavy Rolling Stock	138,050	-	-	-	-
4908 Lease Purchase	-	132,000	132,000	157,600	157,600
4941 Consulting Engineer Fee	<u>-</u>	<u>250,000</u>	<u>100,000</u>	<u>150,000</u>	<u>150,000</u>
Total Capital Outlay	<u>242,997</u>	<u>2,437,000</u>	<u>284,320</u>	<u>2,807,600</u>	<u>2,807,600</u>
TOTAL EXPENDITURES	<u>\$ 1,352,972</u>	<u>\$ 3,810,343</u>	<u>\$ 1,504,948</u>	<u>\$ 4,116,415</u>	<u>\$ 4,143,224</u>

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

EXPENDITURE SUMMARY

304 - FIRE SERVICES

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
Personnel & Related	\$ -	\$ -	\$ -	\$ -	\$ -
Services	114,414	110,500	112,275	110,500	110,500
Supplies	102,500	206,100	151,025	111,100	111,100
Repairs & Maintenance	85,259	84,000	59,645	84,000	84,000
Other Operating Expenditures	-	-	-	-	-
Capital Outlay	66,571	187,000	184,320	157,600	157,600
Total Expenditures	\$ 368,744	\$ 587,600	\$ 507,265	\$ 463,200	\$ 463,200

PROGRAM DESCRIPTION

Fire Services include fire suppression and EMS services for the protection of life and property against fire and other disasters. The City currently has three fire stations.

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

304 - FIRE SERVICES

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4100 PERSONNEL & RELATED</u>					
4101 Salaries - Full Time	\$ -	\$ -	\$ -	\$ -	\$ -
4102 Salaries - Part Time	-	-	-	-	-
4104 Salaries - Overtime	-	-	-	-	-
4106 Social Security/Medicare	-	-	-	-	-
4107 TMRS	-	-	-	-	-
4108 Health & Life Insurance	-	-	-	-	-
4109 Workers Compensation	-	-	-	-	-
Total Personnel & Related	-	-	-	-	-
<u>4200 SERVICES</u>					
4219 Mobile Technology	4,820	6,000	6,300	6,000	6,000
4239 Audit Fees	2,000	2,000	2,000	2,000	2,000
4252 Dues & Fees	96	250	75	250	250
4254 Inspections & Permits	26,550	21,250	18,000	21,250	21,250
4255 Community & Employee Awards	-	-	-	-	-
4256 Santa Around Town	-	-	-	-	-
4279 Software - Other	-	-	-	-	-
4290 Contract Labor	80,948	81,000	85,900	81,000	81,000
Total Services	114,414	110,500	112,275	110,500	110,500
<u>4300 SUPPLIES</u>					
4301 Office Supplies	322	500	-	500	500
4303 Operational Supplies	9,890	13,000	10,000	13,000	13,000
4307 Postage	1	100	25	100	100
4308 Small Tools & Minor Equipment	9,062	120,500	107,000	25,500	25,500
4314 Protective Clothing	83,225	70,000	34,000	70,000	70,000
4346 Election Supplies	-	-	-	-	-
4348 Books	-	2,000	-	2,000	2,000
Total Supplies	102,500	206,100	151,025	111,100	111,100

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

304 - FIRE SERVICES

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4400 REPAIRS & MAINTENANCE</u>					
4401 Vehicles	13,790	23,000	23,000	23,000	23,000
4402 Machinery & Equipment	6,634	16,000	16,000	16,000	16,000
4404 Buildings	16,075	8,000	1,500	8,000	8,000
4405 Radios	5,453	10,000	9,145	10,000	10,000
4413 Drill Field	40,058	20,000	10,000	20,000	20,000
4430 Furniture & Fixtures	3,249	7,000	-	7,000	7,000
Total Repairs & Maintenance	85,259	84,000	59,645	84,000	84,000
<u>4500 OTHER OPERATING EXP.</u>					
4510 Contingency	-	-	-	-	-
4511 Salary Contingency	-	-	-	-	-
Total Other Operating Expenditures	-	-	-	-	-
<u>4900 CAPITAL OUTLAY</u>					
4903 Improvements Other Than Bldgs.	-	-	-	-	-
4904 Machinery & Equipment	66,571	55,000	52,320	-	-
4906 Automobiles & Light Trucks	-	-	-	-	-
4907 Large Trucks/Heavy Rolling Stock	-	-	-	-	-
4908 Lease Purchase	-	132,000	132,000	157,600	157,600
4941 Consulting Engineer Fee	-	-	-	-	-
Total Capital Outlay	66,571	187,000	184,320	157,600	157,600
TOTAL EXPENDITURES	\$ 368,744	\$ 587,600	\$ 507,265	\$ 463,200	\$ 463,200

**CITY OF DEER PARK
2017 - 2018 FIRE CONTROL DISTRICT BUDGET**

4200 - SERVICES		304 - FIRE SERVICES
4219	Mobile Technology	\$ 6,000
	Air cards for iPads	6,000
4239	Audit Fees	2,000
	Annual Audit	2,000
4252	Dues and Fees	250
	Registration renewals	250
4254	Inspections and Permits	21,250
	Breathing Air	6,000
	SCBA Masks	3,000
	Holmatro Tool annual inspection/maintenance	2,000
	Annual Hose, Pump and Ladder Testing	6,100
	Building generator load testing/inspection	4,150
4290	Contract Labor	81,000
	Fire Personnel Services	76,000
	Drill Field Janitorial Maintenance	5,000
	TOTAL SERVICES	110,500
4300 - SUPPLIES		
4301	Office Supplies	500
4303	Operational Supplies	13,000
	Miscellaneous operational supplies	13,000
4307	Postage	100
4308	Small Tools & Minor Equipment	25,500
	Small equipment replacement/repairs	5,500
	Replacement hose due to failure	3,000
	Nozzles, SCBA masks	3,000
	Equipment lift for Maintenance Shop	4,000
	Slide out tray for bed area of Unit 430	4,000
	Miscellaneous tools and equipment	6,000
4314	Protective Clothing	70,000
	Bunker gear (coats & pants)	60,000
	NFPA gloves/rescue gloves	6,000
	Boots	2,000
	Suspenders, shields, etc.	2,000
4348	Books	2,000
	TOTAL SUPPLIES	111,100
4400 - REPAIRS & MAINTENANCE		
4401	Vehicles	23,000
	Replacement tires	5,000
	Miscellaneous repairs and maintenance	18,000
4402	Machinery & Equipment	16,000
	Ice machine preventive maintenance	6,000
	Miscellaneous repairs and maintenance	10,000
4404	Building	8,000
	Miscellaneous repairs and maintenance	8,000
4405	Radios	10,000
	Repair of radios & equipment	10,000
4413	Drill Field	20,000
	Consumables (hay, propane, etc.)	4,000
	Jaws supplies (cars, towing, etc.)	3,000
	Prop maintenance	2,000
	Heat tiles, manikins, etc.	2,000
	LPG Fuel	5,000
	Miscellaneous repairs and maintenance	4,000
4430	Furniture & Fixtures	7,000
	Replace furniture at 3 stations, as needed	7,000
	TOTAL REPAIRS & MAINTENANCE	84,000
4900 - CAPITAL OUTLAY		
4908	Lease Purchase	157,600
	Lease purchase financing for new Ladder Truck	157,600
	TOTAL CAPITAL OUTLAY	157,600
	TOTAL BUDGETED EXPENDITURES	\$ 463,200

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

EXPENDITURE SUMMARY

305 - EMERGENCY MEDICAL SERVICES

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
Personnel & Related	\$ 575,363	\$ 668,676	\$ 640,440	\$ 697,023	\$ 709,613
Services	52,774	83,500	55,463	83,500	83,500
Supplies	41,034	49,630	42,900	42,430	42,430
Repairs & Maintenance	35,067	45,500	45,000	45,500	45,500
Other Operating Expenditures	-	-	-	-	12,299
Capital Outlay	165,426	2,250,000	100,000	2,650,000	2,650,000
Total Expenditures	\$ 869,664	\$ 3,097,306	\$ 883,803	\$ 3,518,453	\$ 3,543,342

PERSONNEL SCHEDULE

Assistant Chief EMS	0	0	0	1	1
EMS Captain	2	2	2	1	1
Paramedic Supervisor	0	0	0	0	0
Paramedics	4	5	5	5	5
Part-Time Paramedics	0	2	2	2	2

PROGRAM DESCRIPTION

Emergency Medical Services include emergency medical treatment and ambulance transportation as needed.

CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET

305 - EMERGENCY MEDICAL SERVICES

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4100 PERSONNEL & RELATED</u>					
4101 Salaries - Full Time	\$ 304,972	\$ 388,345	\$ 355,900	\$ 399,215	\$ 409,511
4102 Salaries - Part Time	5,452	12,000	7,550	12,000	12,000
4104 Salaries - Overtime	96,889	80,000	117,100	80,000	80,000
4106 Social Security/Medicare	31,067	36,604	35,500	37,409	38,198
4107 TMRS	59,919	68,013	67,700	69,691	71,196
4108 Health & Life Insurance	49,239	76,308	50,800	64,872	64,872
4109 Workers Compensation	3,846	5,981	3,100	4,366	4,366
4114 Section 125 Admin Fee	78	135	90	90	90
4117 Health Savings Account	1,289	1,290	2,700	4,380	4,380
4197 Pension Expense	22,612	-	-	25,000	25,000
Total Personnel & Related	575,363	668,676	640,440	697,023	709,613
<u>4200 SERVICES</u>					
4219 Mobile Technology	1,871	4,000	2,500	3,000	3,000
4250 Training and Travel	-	-	2,713	-	-
4252 Dues & Fees	1,480	4,000	250	4,000	4,000
4255 Community & Employee Awards	3,249	5,000	5,000	6,000	6,000
4279 Software - Other	13,081	17,000	10,000	17,000	17,000
4290 Contract Labor	33,093	53,500	35,000	53,500	53,500
Total Services	52,774	83,500	55,463	83,500	83,500
<u>4300 SUPPLIES</u>					
4301 Office Supplies	-	-	-	-	-
4303 Operational Supplies	9,160	26,500	22,000	26,430	26,430
4308 Small Tools & Minor Equipment	31,874	22,230	20,000	16,000	16,000
4348 Books	-	900	900	-	-
Total Supplies	41,034	49,630	42,900	42,430	42,430
<u>4400 REPAIRS & MAINTENANCE</u>					
4401 Vehicles	8,553	16,000	16,000	16,000	16,000
4402 Machinery & Equipment	26,514	29,500	29,000	29,500	29,500
Total Repairs & Maintenance	35,067	45,500	45,000	45,500	45,500

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

305 - EMERGENCY MEDICAL SERVICES

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4500 OTHER OPERATING EXP.</u>					
4511 Salary Contingency	-	-	-	-	12,299
Total Other Operating Exp.	-	-	-	-	12,299
<u>4900 CAPITAL OUTLAY</u>					
4902 Buildings	-	2,000,000	-	2,500,000	2,500,000
4904 Machinery & Equipment	-	-	-	-	-
4906 Automobiles & Light Trucks	27,376	-	-	-	-
4907 Large Trucks/Heavy Rolling Stock	138,050	-	-	-	-
4941 Consulting Engineer Fee	-	250,000	100,000	-	-
4942 Consulting Architect Fee	-	-	-	150,000	150,000
Total Capital Outlay	165,426	2,250,000	100,000	2,650,000	2,650,000
 TOTAL EXPENDITURES	 \$ 869,664	 \$ 3,097,306	 \$ 883,803	 \$ 3,518,453	 \$ 3,543,342

**CITY OF DEER PARK
2017 - 2018 FIRE CONTROL DISTRICT BUDGET**

		305 - EMERGENCY MEDICAL SERVICES	
4100 -	PERSONNEL & RELATED		
4101	Salaries - Full Time		\$ 409,511
4102	Salaries - Part Time		12,000
4104	Overtime		80,000
4197	Pension Expense		25,000
	Various Benefits (Total)		183,102
	TOTAL PERSONNEL		709,613
4200 -	SERVICES		
4219	Mobile Technology		3,000
	Air cards for iPads	3,000	
4252	Dues and Fees		4,000
	CLIA Lab Fees	250	
	Ambulance License Renewal (4 units)	600	
	Ambulance Operating License Renewal Fee	500	
	Health Stream (EMS Continuing Education)	2,400	
	SETRAC Annual Dues	250	
4255	Community Awards		6,000
	EMS Week, Fire Responders Appreciation, etc.	6,000	
4279	Software - Other		17,000
	TriTech Annual Fees	2,000	
	ESO Solutions Annual Fees	6,500	
	Gateway EDI	1,700	
	EMS Technology	2,100	
	ESO Solutions bi-directional data exchange	1,000	
	EMS Simulator (SimMan)	1,500	
	When To Work Scheduling Software	1,000	
	Sunguard Freedom One Solution	1,200	
4290	Contract Labor		53,500
	EMS Personnel Services	53,500	
	TOTAL SERVICES		83,500
4300 -	SUPPLIES		
4303	Operational Supplies		26,430
	Supplies including EMS medical supplies, gloves, medications, disposable PPE, spider straps, C-Spine immobilization equipment, cleaning supplies, cyanide exposure treatment kits, etc.	26,430	
4308	Small Tools & Minor Equipment		16,000
	Includes replacement gear bags, rescue tool replacement, vehicle storage bins, shelves, Knox Box Medicine Vaults, and miscellaneous	16,000	
	TOTAL SUPPLIES		42,430
4400 -	REPAIRS & MAINTENANCE		
4401	Vehicles		16,000
	Tires	6,000	
	Preventative Maintenance	5,000	
	Unforeseen Maintenance	5,000	
4402	Machinery & Equipment		29,500
	LP-15 and AED maintenance	20,500	
	Stretcher maintenance	9,000	
	TOTAL REPAIRS & MAINTENANCE		45,500
4900 -	CAPITAL OUTLAY		
4902	Buildings		2,500,000
	Construction of EMS Annex at Fire Station 1	2,500,000	
4941	Consulting Engineer Fee		150,000
	Design of EMS Annex at Fire Station 1	150,000	
	TOTAL CAPITAL OUTLAY		2,650,000
4500 -	OTHER OPERATING EXPENDITURES		
4511	Salary Contingency		12,299
	1.8% salary adjustment per Compensation Study		
			12,299
	TOTAL BUDGETED EXPENDITURES		\$ 3,543,342

CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET

EXPENDITURE SUMMARY

307 - FIRE MARSHAL

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
Personnel & Related	\$ 80,568	\$ 88,137	\$ 85,155	\$ 112,962	\$ 112,962
Services	21,465	31,500	25,000	16,000	16,000
Supplies	-	1,300	1,025	1,300	1,300
Repairs & Maintenance	1,531	4,500	2,700	4,500	4,500
Other Operating Expenditures	-	-	-	-	1,920
Capital Outlay	11,000	-	-	-	-
Total Expenditures	\$ 114,564	\$ 125,437	\$ 113,880	\$ 134,762	\$ 136,682

PERSONNEL SCHEDULE

Fire Marshal Inspector	1	1	1	1	1
Part-Time Fire Marshal Inspector	0	0	0	1	1

PROGRAM DESCRIPTION

The Fire Marshal's office is responsible for inspections and enforcement of the City's Fire Code as well as fire investigations. The Fire Marshal also designs and presents fire safety education programs in the community.

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

307 - FIRE MARSHAL

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4100 PERSONNEL & RELATED</u>					
4101 Salaries - Full Time	\$ 57,154	\$ 59,974	\$ 59,620	\$ 61,965	\$ 61,965
4102 Salaries - Part Time	-	-	-	17,500	17,500
4104 Salaries - Overtime	388	6,000	1,415	6,000	6,000
4106 Social Security/Medicare	4,490	5,011	4,800	6,498	6,498
4107 TMRS	8,518	9,553	8,910	9,853	9,853
4108 Health & Life Insurance	5,554	6,120	6,100	6,228	6,228
4109 Workers Compensation	589	834	435	773	773
4114 Section 125 Admin Fee	-	-	-	-	-
4117 Health Savings Account	645	645	645	645	645
4197 Pension Expense	3,230	-	3,230	3,500	3,500
Total Personnel & Related	80,568	88,137	85,155	112,962	112,962
<u>4200 SERVICES</u>					
4219 Mobile Technology	1,615	2,000	900	2,000	2,000
4255 Community/Employee Affairs	-	3,500	3,500	4,000	4,000
4279 Software - Other	3,150	10,000	3,200	10,000	10,000
4290 Contract Labor	16,700	16,000	17,400	-	-
Total Services	21,465	31,500	25,000	16,000	16,000
<u>4300 SUPPLIES</u>					
4303 Operational Supplies	-	300	-	300	300
4308 Small Tools & Minor Equipment	-	1,000	1,025	1,000	1,000
Total Supplies	-	1,300	1,025	1,300	1,300
<u>4400 REPAIRS & MAINTENANCE</u>					
4401 Vehicles	1,531	2,500	1,800	2,500	2,500
4402 Machinery & Equipment	-	2,000	900	2,000	2,000
4404 Building	-	-	-	-	-
Total Repairs & Maintenance	1,531	4,500	2,700	4,500	4,500

**CITY OF DEER PARK
FIRE CONTROL, PREVENTION AND EMS DISTRICT (FCPEMSD)
2018-2019 ANNUAL BUDGET**

307 - FIRE MARSHAL

DESCRIPTION	ACTUAL 16-17	BUDGET 17-18	ESTIMATED 17-18	REQUESTED 18-19	PROPOSED 18-19
<u>4500 OTHER OPERATING EXP.</u>					
4511 Salary Contingency	-	-	-	-	1,920
Total Other Operating Exp.	-	-	-	-	1,920
<u>4900 CAPITAL OUTLAY</u>					
4904 Machinery & Equipment	11,000	-	-	-	-
4906 Automobiles & Light Trucks	-	-	-	-	-
4907 Truck & Heavy Rolling Stock	-	-	-	-	-
Total Capital Outlay	11,000	-	-	-	-
 TOTAL EXPENDITURES	 <u>\$ 114,564</u>	 <u>\$ 125,437</u>	 <u>\$ 113,880</u>	 <u>\$ 134,762</u>	 <u>\$ 136,682</u>

**CITY OF DEER PARK
2017 - 2018 FIRE CONTROL DISTRICT BUDGET**

307 - FIRE MARSHAL

4100 -	PERSONNEL & RELATED		
4101	Salaries - Full Time		\$ 61,965
4102	Salaries - Part Time		17,500
4104	Overtime		6,000
4197	Pension Expense		3,500
	Various Benefits (Total)		23,997
	TOTAL PERSONNEL		112,962
4200 -	SERVICES		
4219	Mobile Technology		2,000
	Air cards for iPads	2,000	
4255	Community Awards		4,000
	Contest awards, fire prevention parade, etc.	4,000	
4279	Software - Other		10,000
	Firehouse Annual Subscription	10,000	
	TOTAL SERVICES		16,000
4300 -	SUPPLIES		
4303	Operational Supplies		300
	Miscellaneous operational supplies	300	
4308	Small Tools & Minor Equipment		1,000
	Miscellaneous tools and equipment	1,000	
	TOTAL SUPPLIES		1,300
4400 -	REPAIRS & MAINTENANCE		
4401	Vehicles		2,500
	Repairs and maintenance, as needed	2,500	
4402	Machinery & Equipment		2,000
	Fire prevention education & investigation trailer	2,000	
	TOTAL REPAIRS & MAINTENANCE		4,500
4500 -	OTHER OPERATING EXPENDITURES		
4511	Salary Contingency		1,920
	1.8% salary adjustment per Compensation Study		
			1,920
	TOTAL BUDGETED EXPENDITURES		\$ 136,682



Legislation Details (With Text)

File #: PUR 18-031 **Version:** 1 **Name:**
Type: Purchase **Status:** Agenda Ready
File created: 10/17/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on authorization to purchase five (5) Chevy Tahoes from Reliable Chevrolet through the Tarrant County Cooperative Purchasing Agreement (CCPD Funded).
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Consideration of and action on authorization to purchase five (5) Chevy Tahoes from Reliable Chevrolet through the Tarrant County Cooperative Purchasing Agreement (CCPD Funded).

Summary: The Police Department budgeted for five (5) 2019 Chevrolet Tahoes in the Crime Control Prevention District (CCPD). The plan to purchase these vehicles was presented to the CCPD Board on Monday, October 15, 2018, and it was approved. The Police Department now asks the City Council to approve the purchase of these five vehicles. The purchase will be made through the Tarrant County Cooperative Purchasing Agreement from Reliable Chevrolet in Richardson, Texas.

Vendor: Reliable Chevrolet

Fiscal/Budgetary Impact: The CCPD Budget has \$184,179.00 budgeted for these vehicles in account No. 82-300-4906 (Automobiles & Light Trucks). The bid is for the amount of \$167,434.70, or \$33,486.94 each, included in the Crime Control and Prevention District (CCPD) FY18-19 Budget. This amount is \$16,744.30 under budget.



Legislation Details (With Text)

File #: AUT 18-102 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 10/25/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on the purchase of various emergency equipment to outfit (5) five Chevrolet Tahoes (CCPD).

Sponsors:

Indexes:

Code sections:

Attachments: [20181025_163438](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on the purchase of emergency equipment to outfit (5) five Chevrolet Tahoes (CCPD).

Consideration of and action on the purchase of equipment already approved by the Crime Control District on October 15, 2018. This request is for approval to purchase the required emergency equipment to outfit (5) five Chevrolet Tahoes. This equipment includes miscellaneous emergency response equipment i.e., light bars, sirens, radio consoles, graphics etc.

Summary:

Approval of the purchase of equipment to outfit (5) five Chevrolet Tahoes.

Fiscal/Budgetary Impact:

Equipment for new (5) five Tahoe's (see attachment for breakdown) \$56,835.40

Approve the purchase.



Sales Quote

DANA SAFETY SUPPLY, INC
4809 KOGER BLVD
GREENSBORO, NC 27407

Telephone: 800-845-0405

Sales Quote No.	263184-B
Customer No.	DEERPARK

Bill To
DEER PARK POLICE DEPARTMENT PO BOX 700 DEER PARK, TX 77536

Ship To
FLEET SAFETY EQUIPMENT 6525 GOFORTH HOUSTON, TX 77021

Contact: MILLER
Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
10/23/18	GROUND		QUOTED FREIGHT		NET30	
Entered By			Salesperson	Ordered By	Resale Number	
Sylvia Grimes			Sylvia Grimes - Houston	Sgt Miller		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
5	5	Y	EVP LEGACY 54" DUO LIGHT BAR PACKAGE Warehouse: DROP		2,495.0000	12,475.00
5	5	Y	GB2SP3J WEC LEGACY 54" RED BLUE Warehouse: DROP		0.0000	0.00
5	5	Y	MKEZ93 WEC 2015+ TAHOE STRAP KIT Warehouse: DROP		0.0000	0.00
5	5	Y	CCSRN5 WEC CARBIDE AMP CONTROL MOD W/CANPORT OBDII INTRFACE M Warehouse: DROP ORDER CONTROL HEAD SEPSEATELY ORDER INSTALLATION KIT SEPERATELY DOES NOT HAVE TRAFFIC ADVISOR CONTROL MODULE *****		0.0000	0.00
5	5	Y	CANCTL6 WEC CANTROL REMOTE ROTARY SWITCH CONTROL HEA ONLY Warehouse: DROP p/n # 01-0687496-01C NO CHARGE IF ORDERED WITH CENCOM CARBIDE AMP *****		0.0000	0.00

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Sales Quote

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4809 KOGER BLVD
GREENSBORO, NC 27407

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Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
10/23/18	GROUND		QUOTED FREIGHT		NET30	
Entered By			Salesperson	Ordered By	Resale Number	
Sylvia Grimes			Sylvia Grimes - Houston	Sgt Miller		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
5	5	Y	CC5K1 WEC CCSRN5 INSTALL KIT FORD PISE & PIUT /DODGE CHC Warehouse: DROP NO CHARGE IF ORDERED WITH CENCOM CARBIDE AMP *****		0.0000	0.00
5	5	Y	SA315P Whelen 100W Compact Black Composite 122DB Speaker Warehouse: DROP		0.0000	0.00
5	5	Y	SAK1 WEC UNIVERSAL SPEAKER BRACKET Warehouse: DROP		0.0000	0.00
5	5	Y	WEC-HOWLER WEC LOW FREQUENCY SIREN AMPLIFIER & 2 SPEAKERS Warehouse: DROP OPTIONAL VEHICLE SPECIFIC MOUNTING BRACKETS MUST BE ORDERED SEPERATELY(NO CHARGE IF ORDERED WITH HOWLER SYSTEM) ***** **		497.9900	2,489.95

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Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
10/23/18	GROUND		QUOTED FREIGHT		NET30	
Entered By			Salesperson	Ordered By	Resale Number	
Sylvia Grimes			Sylvia Grimes - Houston	Sgt Miller		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
5	5	Y	HWLRB20 WEC HOWLER BRACKETS 2015+ TAHOE --- PAIR Warehouse: DROP NO CHARGE IF PURCHASED WITH HOWLER SYSTEM *****		0.0000	0.00
30	30	Y	MPS620U-BR FED Micro Pulse Ultra 6 Dual Color Surface Mount Warehouse: DROP		81.2500	2,437.50
5	5	Y	12-24 VDC 12 LED Lighthead Blue/Red 6 X SPOILER BRACKETS MPSM6-TA15RS FED REAR SPOILER BRACKET 6 MPS600 OR MPS600U Warehouse: DROP		42.3000	211.50
10	10	Y	MPS620U-BR FED Micro Pulse Ultra 6 Dual Color Surface Mount Warehouse: DROP 12-24 VDC 12 LED Lighthead Blue/Red 2 X BOTTOM OF REAR HATCH		86.2500	862.50

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Contact: MILLER
Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via			F.O.B.	Customer PO Number	Payment Method	
10/23/18	GROUND			QUOTED FREIGHT		NET30	
Entered By			Salesperson		Ordered By		Resale Number
Sylvia Grimes			Sylvia Grimes - Houston		Sgt Miller		
Order Quantity	Approve Quantity	Tax	Item Number / Description			Unit Price	Extended Price
5	5	Y	MPS1220U-BW FED MicroPulse Ultra 12, Dual-Color Surface Mount B/W Warehouse: DROP MOUNTED HORIZONTAL BY THE LICENSE PLATE			107.2500	536.25
5	5	Y	MPS1220U-RW FED MICRO PULSE ULRA 12, R/W SPLIT Warehouse: DROP MOUNTED HORIZONTAL BY THE LICENSE PLATE			107.2500	536.25
5	5	Y	380400-W FEDERAL PAR46 UNITY LIGHT LED Warehouse: DROP			135.5000	677.50
10	10	Y	M4DWJ WEC M4 SPLIT RED/BLUE W/ DRIVING LIGHT Warehouse: DROP			127.0000	1,270.00
5	5	Y	M4CT15B WEC M4 SERIES 15+ TAHOE FOG LIGHT MOUNT PAIR Warehouse: DROP			43.0000	215.00
5	5	Y	C3RNR-60L-RB CODE 60" LINER PERIMTER BAR RED BLUE LEFT WIRE EX Warehouse: DROP			254.0000	1,270.00
5	5	Y	C3RNR-60R-RB CODE RB 60" LINEAR PERIMETER LIGHTBAR, RIGHT WIRE EXIT Warehouse: DROP			254.0000	1,270.00

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GREENSBORO, NC 27407

Telephone: 800-845-0405

Sales Quote No.	263184-B
Customer No.	DEERPARK

Bill To
DEER PARK POLICE DEPARTMENT PO BOX 700 DEER PARK, TX 77536

Ship To
FLEET SAFETY EQUIPMENT 6525 GOFORTH HOUSTON, TX 77021

Contact: MILLER
Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method
10/23/18	GROUND		QUOTED FREIGHT		NET30
Entered By		Salesperson		Ordered By	Resale Number
Sylvia Grimes		Sylvia Grimes - Houston		Sgt Miller	
Order Quantity	Approve Quantity	Tax	Item Number / Description	Unit Price	Extended Price
10	10	Y	RNRBKT-TH CODE3, INLINE RUNNER LIGHT BRACKET TAHOE Warehouse: DROP	20.0000	200.00
5	5	Y	SSFPOSI6 WEC H/L & T/L PLUG-IN FLASHER 2006+ PPG IMPALA & TAHOE Warehouse: DROP E-Z INSTALL PLUG-IN FOR 2006+ IMPALA, CAPRICE, & TAHOE POLICE PACKAGE VEHICLES ONLY. ***** NOTE: WILL NOT WORK WITH HID OR PROJECTION HEADLIGHTS. *****	60.0400	300.20
5	5	Y	ULF44 WEC 4-OUTLET, 4 CHANNEL 60W LED FLASHER Warehouse: DROP OVER 60 FLASH PATTERNS, ALLOWING FOR ALTERNATING, SIMULTANEOUS & SYNCHRONIZED FLASHING LIGHTHEADS. ***** *****	51.0200	255.10
15	15	Y	3SRCCDCR WEC 3" RND SUPER-LED COMPARTMENT SPLIT R/C Warehouse: DROP RED & WHITE LEDS HAVE SEPERATE CONTROLS *****	45.0000	675.00

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Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date		Ship Via		F.O.B.		Customer PO Number		Payment Method		
10/23/18		GROUND		QUOTED FREIGHT				NET30		
Entered By			Salesperson			Ordered By			Resale Number	
Sylvia Grimes			Sylvia Grimes - Houston			Sgt Miller				
Order Quantity	Approve Quantity	Tax	Item Number / Description				Unit Price	Extended Price		
5	5	Y	BK2019TAH15 SMC 4-LIGHT PUSH BUMPER 2015+ TAHOE - WHELEN IONS Warehouse: DROP SEE ATTACHED PUSH BUMPER BUILD SHEET--- *****				699.0000	3,495.00		
5	5	Y	PK0419TAH15 SMC #10VS C Recessed Panel Coated Polycarbonate With Warehouse: DROP				622.3000	3,111.50		
5	5	Y	WK0514TAH15 SMC WINDOW BARRIER VS STEEL VERTICAL Warehouse: DROP				160.0000	800.00		
5	5	Y	GK10342UHKSSCAXL SETINA DUAL GUN RACK W/ 2 UNIVERSAL XL LOCKS CUF KEY Warehouse: DROP				321.3000	1,606.50		
5	5	Y	5SUVTH1511 GOR MOLDED REAR PRISONER SEAT- CENTER BELT Warehouse: DROP				1,099.2000	5,496.00		
5	5	Y	C-MKM-102 HAV FOLDING MONITOR & KEYBOARD MOUNT Warehouse: DROP				156.0000	780.00		
5	5	Y	C-MM-216 HAV Device Mount for DataLux Tracer Warehouse: DROP				46.0000	230.00		

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Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
10/23/18	GROUND		QUOTED FREIGHT		NET30	
Entered By			Salesperson	Ordered By	Resale Number	
Sylvia Grimes			Sylvia Grimes - Houston	Sgt Miller		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
1	1	Y	MISC HAV, C-KBM-203, Warehouse: DROP KEY BOARD MOUNTING PLATE AND ADAPTER FOR DATALUX KEYBOARD		128.0000	128.00
5	5	Y	(REPLACED THE C-KBM-105_ NMOPFP195C-25 TESSCO HUTTON NMO mount 25' coax with Mini-U connecto Warehouse: DROP		29.0000	145.00
5	5	Y	BMLPV800 HUTTON Max Rad 800 Antenna Black Warehouse: DROP		25.0000	125.00
5	5	Y	TGB34 L BRACKET, USED ON 3/4', CHROME Warehouse: DROP		5.0000	25.00
10	10	Y	FS-TOGGLE3 3- Way Rocker Switch Warehouse: DROP		10.0000	100.00
5	5	Y	INSTALL KIT MISC INSTALLATION SUPPLIES I.E. Warehouse: DROP LOOM, WIRE, HARDWARE, CONNECTORS, BREAKER, ETC *****		150.0000	750.00

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Sales Quote

DANA SAFETY SUPPLY, INC
4809 KOGER BLVD
GREENSBORO, NC 27407

Telephone: 800-845-0405

Sales Quote No.	263184-B
Customer No.	DEERPARK

Bill To

DEER PARK POLICE DEPARTMENT
 PO BOX 700
 DEER PARK, TX 77536

Ship To

FLEET SAFETY EQUIPMENT
 6525 GOFORTH
 HOUSTON, TX 77021

Contact: MILLER
Telephone: 281-930-2155
E-mail: bmiller@deerparktx.org

Contact:
Telephone:
E-mail:

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
10/23/18	GROUND		QUOTED FREIGHT		NET30	
Entered By			Salesperson	Ordered By	Resale Number	
Sylvia Grimes			Sylvia Grimes - Houston	Sgt Miller		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
5	5	Y	INSTALL DSS INSTALLATION OF EQUIPMENT Warehouse: DROP		2,133.3300	10,666.65
5	5	Y	TINT Vehicle Window Tint Per Customers Specs Warehouse: DROP		150.0000	750.00
5	5	Y	GRAPHICS GRAPHICS FOR VEHICLE Warehouse: DROP		370.0000	1,850.00
5	5	Y	INSTALL-GRAPHIC INSTALLATION OF GRAPHICS Warehouse: DROP		75.0000	375.00
2019 TAHOE (X5)						
BUY BOARD CONTRACT #524-17						
Approved By: _____						
<input type="checkbox"/> Approve All Items & Quantities						
Quote Good for 30 Days						

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Subtotal	56,115.40
Freight	720.00
Order Total	56,835.40



Legislation Details (With Text)

File #: PUR 18-032 **Version:** 1 **Name:**
Type: Purchase **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on authorization to purchase a 2019 Ford Regular Cab DRW with Chassis for the Street Maintenance Department through the H-GAC Cooperative Purchasing Program.
Sponsors: Finance
Indexes:
Code sections:
Attachments: [2019 Ford Dump Truck - Street Maintenance](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on authorization to purchase a 2019 Ford Regular Cab DRW with Chassis for the Street Maintenance Department through the H-GAC Cooperative Purchasing Program.

Summary:

This is a replacement vehicle for Unit 232, which is a 2006 Ford F450 small dump truck with 54,000 miles. The Collective Fleet Software maintenance records for Unit 232 indicate that in the last 3-years, the brakes have been replaced, and the truck has been in the shop for clogged fuel lines, a bad fan motor, and replacement of the instrument cluster due to the speedometer not working. Currently, the light strobe assembly kit and the air conditioner are not working properly. The wiring to the dump bed has been replaced but is no longer operating. The City is requesting replacement of both the truck and the dump-bed.

Fiscal/Budgetary Impact:

An amount of \$57,000 for this vehicle replacement is included in the FY2018-2019 budget for the Street Maintenance Department, Account Number 10-403-4906, Automobiles and Light Trucks.

Authorization to purchase a 2019 Ford Regular Cab DRW with Chassis for the Street Maintenance Department through the H-GAC Cooperative Purchasing Program.



CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract No.:

VE11-15

Date Prepared:

5/18/2018

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	CITY OF DEER PARK	Contractor:	SILSBEE FORD
Contact Person:	EDWIN GARCIA	Prepared By:	RICHARD HYDER
Phone:	(281) 478-7263	Phone:	(409) 300-1385
Fax:		Fax:	(409) 895-3884
Email:	EGARCIA@DEERPARKTX.ORG	Email:	RHYDER.COWBOYFLEET@GMAIL.COM

Product Code:	E33	Description:	2019 FORD REG CAB DRW CHASSIS
---------------	-----	--------------	-------------------------------

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: \$ 23,812.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
F5G REGULAR CAB CHASSIS DRW 60"CA 4X2	\$ 8,985.00		
EXTERIOR WHITE	\$ -		
INTERIOR VINYL 40/20/40	\$ -		
52B TRAILER BRAKE CONTROLLER	\$ 259.00		
99T 6.7L V8 DIESEL	\$ 8,756.00		
X4N 4.10 LIMITED SLIP AXLE	\$ 378.00		
90L POWER EQUIPMENT GROUP	\$ 912.00		
512 SPARE TIRE AND WHEEL	\$ 329.00		
37 DUMP BED DES05171803	\$ 10,646.40		
		Subtotal From Additional Sheet(s):	\$ -
		Subtotal B:	\$ 30,265.40

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
DELIVERY 95 MILES	\$ 166.25		
AMBER/BLUE 54" LIGHTBAR	\$ 1,095.00		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	\$ 1,261.25

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

For this transaction the percentage is:

2%

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	\$ 55,338.65	=	Subtotal D:	\$ 55,338.65
-------------------	---	--------------------------	--------------	---	-------------	--------------

E. H-GAC Order Processing Charge (Amount Per Current Policy)

Subtotal E: \$ 600.00

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
		Subtotal F:	\$ -

Delivery Date: ~90-120 DAYS

G. Total Purchase Price (D+E+F): \$ 55,938.65



Legislation Details (With Text)

File #: PUR 18-033 **Version:** 1 **Name:**

Type: Purchase **Status:** Agenda Ready

File created: 10/19/2018 **In control:** City Council

On agenda: 11/6/2018 **Final action:**

Title: Consideration of and action on authorization to purchase a 2019 Wilkens Open Top 45-foot Walking Floor Trailer with Hydraulic Top for the Sanitation Department through the Buy Board Cooperative Purchasing Program.

Sponsors: Finance

Indexes:

Code sections:

Attachments: [2019 Wilkens Walking Floor Trailer - Sanitation](#)

Date	Ver.	Action By	Action	Result
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Consideration of and action on authorization to purchase a 2019 Wilkens Open Top 45-foot Walking Floor Trailer with Hydraulic Top for the Sanitation Department through the Buy Board Cooperative Purchasing Program.

Summary: Currently the Sanitation Department has two (2) 45-foot Walking Floor Trailers and would like to add to their fleet. The current trailers are used to haul debris to the landfill on a daily basis. Having an additional trailer will give the Sanitation Department an extra place for storage of debris.

Fiscal/Budgetary Impact: An amount of \$90,000.00 for this Walking Floor Trailer is included in the Fiscal Year 2018-2019 Budget for the Sanitation Department, Account Number 10-402-4907, Large Trucks and Heavy Rolling Stock.



Manufacturers of **LOAD RUNNER**
X-SERIES Solid Waste Transport Trailers

INDUSTRIES, INC.

Morris, MN 56267 (320) 589-1971
1-800-833-6045
FAX: (320) 589-1974

Sales Quotation

BuyBoard Refuse Bodies, Trailers and other bodies 516-16 (Expires 11/30/18)

Firm	City of Deer Park, TX	Date	04/05/18
Address	710 East San Augustine St.	PO #	
City, State, Zip	Deer Park, TX 77536	Email	egarcia@deerparktx.org
Contact	Mr. Garcia	Phone #	281-478-7263
Completion Date:	150 - 180 Days	Terms	Net COD

Qty.	Description	Price
1	<p>2019 WILKENS OPEN TOP WALKING FLOOR TRAILER MODEL 45115SPO - BUYBOARD CONTRACT PRICING.....> DEER PARK SPECIFICATION INCLUDING ALL OPTIONS HIGHLIGHTED IN BOLD BELOW.....> O.A.D: L: 45' H: 13'4" (13-6 with cover) W: 102" Sides: Sheets 7ga. 50my. Posts 10Ga. (straight leg 2.5"x 5") on 15" Centers (on outside of bot. rail) All Exterior Welds Solid. Body Taper: 4" (92" inside front, 96" inside rear) Body Wedge: 7" (104" inside front 111" inside rear) Cut-Outs for Tire Clearance. Bulkhead: Same as Sides 3 Posts, No Inside Braces, 10" Diagonal Corners. Front Window 12x 18 X-Metal 46" to Center above KP Plate 10" Off Center Toward Driver's Side. Top Rail: 4"H x 6"W x 5/16" Single Piece no Splices, Flex Joints, Std. Spreader Bar. 3x 3x 1/4, Located Center of Trailer. Bulkhead Top Rail Same as Sides. Kingpin: 36", 5/16" Pick-up Plate, WII Style, 1/2" H-Beams, Clean Out Holes in Plate. 40' KP-Last Axle. Cross-Members: 4" Steel X-Members, 12" Centers. Sub-Frame: 8" x 4" x 3/16" Steel Tube. Bottom Rail: 7 Ga. Steel J-Rail 3.375". Landing Gear: Holland Mark V Sand Shoe Square Cushion Foot, 2-Speed, Driver's Side Crank, Std. 7ga. Supports Attached to 6 Cross members. L Gear - KP 108". Bumper: (7ga.) 2.75" Heil Hitch Pin 8"x 16" Opening (covered with a rubber flap) 24" Push Bumpers, ICC Bumper. Suspension: Tandem Hutch 9700 50,000# Capacity, HD 3-Leaf Low Arch Springs (365-01 TRA 2741). Mud Flaps Directly behind the Rear Axle. Spring seats: Frt. 3.25" Rr. 2.75" Axles: (2) 25,000#. 77.5" Track. T/M Chambers. 4S/2M ABS. Hubs: Dayton Walther Uni-Mount 10 Hub-Piloted. Brake Drums: O/B Drums. Wheels: (8) 8.25 x 22.5 Hub-Piloted Steel, White. Tires: (8) Yokohama RY 587 14 Ply, 11R x 22.5. Doors: Steel Double Doors Double Locks, 4-Hinges per Door new style hinges, Grease Fittings, 1-1/4" Lock Shafts, Handles no More Than 12" Above Bot. of Door Frame, 7ga. Door Frame Side Frames 3" x 3", Top & Bot. Frames 3" x 6". Door Sheets 7ga. Solid Welds, 1 - 10ga. Center post in the center of each door. 4-Tailights in the Lower & Upper Frames, Curbside Opens First, Holder Chains. (clearance must be made for the doors to be fully opened with the Flip Tops opened) Drive: KRF II 3 x 10 Frameless 23-Slat. Handle Extension for On-Off Valve. Flooring: 23-Slats, Model# 2301CWS, 48" Long Filler Bars in between Ridges Front & Rear, T-Blocks, Plastic Splash Bearings Above Truck & Trailer Wheels 12' Long x 6 Slat Wide Each Side, Reinforce Side Sealer by Drive Unit. Sub-Deck: Steel Front Baffle: Steel 10ga. Reinforced. Cover: Wilkens Hyd. Power Flip Top Covers, 2-Spool Control, 1/4" Hyd. Hose's double Wire, 10 Hinge Sets, Grease Fittings, 1/4" Plastic Mesh, (100' Roll of Mesh Shipped Loose in Trailer). Options: 69" Catwalk with Railing 19" wide 42" Below Top Rail, Ladder on Driver's Side, 10" wide rungs on 8" centers. Capacity Emblem "117 Yds." with 4" Black Numbers-Letters on Front Corners Both Sides, upper most part of each corner directly on the side of the power flip power unit. See picture attached. Lights: LED Truck-Lite, License Plate on DS Door, Wide Turn Indicators with Signage Located each Side Behind the L Gear Supports. Final Assembly: Back Up Alarm 107 Decibel, Hyd. Couplers Tema Quick Connect; Male pressure, Female return, Dust Caps. Locate Hyd. Couplers Center of Bulkhead 3' Above KP Plate. Manifest Box, Federal D.O.T Paint: Prime Entire Trailer All Areas 2-mils, Paint Exterior White Ditzler DU-8000 Poly Urethane, PPG 91274, 2-mils, 4 mils Total Primer & Paint.</p>	\$71,965.00 \$15,931.00
TOTAL PRICE		87,896.00

F.E.T. Federal Excise Tax		+	\$	Exempt
Freight	To Deer Park, TX	+	\$	Included
Total		+	\$	87,896.00
Other:	BuyBoard Fee	\$		Included
Balance Due at delivery:		\$		87,896.00

The purchaser agrees to accept the equipment listed and described above, on arrival, and to pay therefore the total Cash Price (less any pre-payments theretofore made) or, balance to be payable as follows:

The purchaser further agrees:

1. That a service charge of 1-1/2% per month will be charged on all past due accounts with a \$1.00 minimum. This is an annual percentage rate of 18%.
2. *Special orders are non-cancelable and a minimum of 35% down payment is required on special designed trailer orders. That this document forms a legal and binding contract for both parties herein, undersigned. Any changes, additions, or deletions, must be in writing within 5 days form date accepted by Wilkens Industries, Inc.
3. Any regular orders requested to be cancelled will be subject to 20% of the sale price, service charge, and or the purchaser will forfeit their down payment whichever is greater. Any request to cancel an order shall be made in writing with a detailed explanation. Wilkens Industries, Inc shall have the final approval of a request for cancellation.

Signed By: 
Title: Sales
Date: 4-5-18

Accepted By: _____
Title: _____
Date: _____



Legislation Details (With Text)

File #: PUR 18-034 **Version:** 1 **Name:**

Type: Purchase **Status:** Agenda Ready

File created: 10/26/2018 **In control:** City Council

On agenda: 11/6/2018 **Final action:**

Title: Consideration of and action on authorization to purchase a 2019 Chevrolet 3500HD Silverado 4x2 Crew Cab for the Park Maintenance Department through the Houston-Galveston Area Council Cooperative Purchasing Program.

Sponsors: Finance

Indexes:

Code sections:

Attachments: [2019 CHEVROLET 3500HD SILVERADO 4X2 CREW CAB - Park Maintenance](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on authorization to purchase a 2019 Chevrolet 3500HD Silverado 4x2 Crew Cab for the Park Maintenance Department through the Houston-Galveston Area Council Cooperative Purchasing Program.

Summary:

This vehicle is a replacement for Unit 914, which is a 2008 Dodge Ram Single Cab Pick-Up with 103,688 miles. The current truck has had several expensive repairs over the last few years and would need additional repairs to remain operational in the coming year. The request is for a truck with a crew cab with utility box for daily operations such as towing trailers and transporting employees.

Fiscal/Budgetary Impact:

This vehicle is included in the FY 2018-2019 Budget for the Park Maintenance Department, Account No. 10-410-4906, Automobiles and Light Trucks.

Authorization to purchase a 2019 Chevrolet 3500HD Silverado 4x2 Crew Cab for the Park Maintenance Department through the Houston-Galveston Area Council Cooperative Purchasing Program.



CONTRACT PRICING WORKSHEET

For Standard Equipment Purchases

Contract
No.:

VE11-15

Date
Prepared:

10/25/2018

*This Form must be prepared by Contractor, and provided to End User to attach to Purchase Order, with copy to H-GAC.
The H-GAC administrative fee shall be calculated and shown as a separate line item. Please type or print legibly.*

Buying Agency:	CITY OF DEER PARK	Contractor:	CALDWELL COUNTRY CHEVROLET
Contact Person:	TRACY PETERSON	Prepared By:	AVERYT KNAPP
Phone:	281-478-7228	Phone:	979-567-6116
Fax:	281-478-4029	Fax:	979-567-0853
Email:	TPETERSON@DEERPARKTX.ORG	Email:	AKNAPP@CALDWELLCOUNTRY.COM

Product Code:	A43	Description:	2019 CHEVROLET 3500HD SILVERADO 4X2 CREW CAB CC36043
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 27,819.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
6.6L-DURAMAX DIESEL L5P	INCL	FULL SIZE SPARE TIRE & WHEEL ZBR	350
ALLISON AUTOMATIC, 40-20-40 VINYL SEATS	INCL	POWER WINDOWS & LOCKS, TILT	INCL
16,500#GVWR C7R	16335	KNAPHEIDE 6132D54 11' BODY 6132D54	9620
199" WHEELBASE/84" CAB TO AXLE FNV	INCL	WHELEN F4X2AAAA 55" FREEDOM W/ADVISOR	4373
OEM INTEGRATED TRAILER BRAKE CTRL JL1	275	HEADACHE RACK & ECCO 3715C 4-CORNER STRBS	1215
POWER TOW MIRRORS DPN	355	HD GRILLE GUARD GG1	769
REMOTE KEYLESS ENTRY AQQ	175	Subtotal From Additional Sheet(s):	
REAR VISION CAMERA PROVISION UVC	200	Subtotal B:	33667

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
1/8 TREADPLATE OVERLAY W/TOP FOR WELDER	7720	FIL-RITE 12V PUMP W/HOSE & DISPENSER	INCL
CLASS V HITCH, TOMMY GATE G2-1342 TP38	INCL		
50 GALLON DIESEL TRANSFER TANK	INCL	Subtotal From Additional Sheet(s):	
		Subtotal C:	7720

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 13%

D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)

Description	Cost	Description	Cost
DELIVERY	342		
EXTERIOR COLOR WHITE			
		Subtotal D:	342

E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D) 69548

Quantity Ordered: 1 X Subtotal of A + B + C + D: 69548 = Subtotal E: 69548

F. H-GAC Fee Calculation (From Current Fee Tables) Subtotal F: 600

G. Trade-Ins / Other Allowances / Special Discounts

Description	Cost	Description	Cost
		Subtotal G:	0

Delivery Date: Q3 -2019 **H. Total Purchase Price (E+F+G):** 70148



Legislation Details (With Text)

File #: ORD 18-074 **Version:** 1 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 8/29/2018 **In control:** City Council

On agenda: 11/6/2018 **Final action:**

Title: Consideration of and action on an ordinance rescheduling the January 1, 2019 regular City Council meeting to January 8, 2019.

Sponsors: City Council

Indexes:

Code sections:

Attachments: [Ordinance - Rescheduling January 1, 2019 City Council Meeting](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance rescheduling the January 1, 2019 regular City Council meeting to January 8, 2019.

Summary:

With this action, Council is cancelling the January 1, 2019 City Council Meeting, which had been set for 7:30 p.m. that evening in Council Chambers at City Hall, and rescheduling it to January 8, 2019 at 7:30 p.m. in Council Chambers at City Hall.

Fiscal/Budgetary Impact:

N/A

Approval of the attached ordinance is recommended.

ORDINANCE NO. _____

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

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

1. That the regular meeting of the City Council of the City of Deer Park, Texas, on January 1, 2019, at 7:30 p.m. is cancelled, due to the New Year's Day holiday, and be rescheduled to January 8, 2019.
2. That the City Council of the City of Deer Park, Texas, will meet next on January 8, 2019, in the City Council Chambers in the City Hall of said city at 7:30 p.m.
3. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of The State of Texas.
4. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare in that it is necessary that a time for the regular meetings of the City Council be designated which will allow a quorum of the Council to be present, so that its functioning as the governing body of the City of Deer Park, Texas will not be stalled or impeded, thereby creating an emergency, on account of which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with and this Ordinance should be passed finally on its introduction; and, accordingly, such requirement is dispensed with and this Ordinance shall take effect upon its passage and approval by the Mayor.

PASSED, APPROVED AND ADOPTED, on the first and final reading this _____ day of _____, 2018, by a vote of _____ "ayes" and _____ "noes", this

Ordinance having been read in full prior to such vote.

MAYOR, City of Deer Park

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-096 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 10/31/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on an ordinance related to Seismic Testing.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments: [Amend 102-200-Geophysical mineral explore-revised 10-18-2018](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance related to Seismic Testing.

Summary:

On September 25, 2018, Council discussed potential adoption of an ordinance related to seismic testing within the city limits. This came at the request of Ballard Exploration and Blue Moon Exploration Company, LLC. Presently, the City has no ordinance which address seismic testing. City staff recently met with Mr. Michel Bechtel of Blue Moon Exploration Company, LLC to discuss potential requirements of a seismic testing ordinance (see attached). The attached varies slightly from what was presented to Council on September 25th. This will be discussed during Workshop in greater detail on Tuesday night, with Mr. Bechtel present to answer any questions you may have.

Fiscal/Budgetary Impact:

To be determined.

Approval is recommended

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 102-200 OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, PROVIDING FOR GEOPHYSICAL MINERAL EXPLORATION AND TESTING; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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

I.

DIVISION 3 - GEOPHYSICAL MINERAL EXPLORATION AND TESTING.

SECTION 102-200: Required.

No person shall use or discharge in any manner any explosive including, but not limited to, dynamite and nitroglycerin, nor conduct any other method of geophysical mineral testing by the use of vibrating machines, or otherwise within the city, without first having obtained a permit therefor.

SECTION 102-201: Application.

Application for a permit under this article shall be made with the city secretary. Such application shall contain the name of the applicant, address of the applicant, the geophysical methods of mineral exploration to be used, the purpose therefor, the location and use with a map attached designating the points of use. Such application shall be accompanied by a permit fee in an amount established by the city and listed in appendix A of this Code. On receipt of such application by the city secretary, the application shall be referred to the city manager for a report as to the compliance of such application with the provisions of this article. Such report and the application shall then be submitted to the city council. No permit shall be issued except by the approval of the city council.

SECTION 102-202: Insurance and bond requirements.

(a) On approval of the permit, but before the issuance of the permit, the applicant shall provide the city secretary with an insurance certificate showing insurance coverage of the applicant for general liability coverage in amounts not less than:

- (1) Bodily injuries: \$1,000,000.00 per person and \$3,000,000.00 per accident: and
- (2) Property damage: \$1,000,000.00

(b) Such insurance coverage shall be provided by a good and solvent insurance company authorized to do business in the state. In addition, the applicant shall provide a cash bond in the amount of \$5,000.00. Such cash bond shall be for the benefit of the city and all persons concerned, conditioned that the permittee will comply with the terms and conditions of this article. The bond shall become effective on or before the date the bond is filed with the city secretary and remain in force and effect and on deposit for at least a period of six months after the exploration ends.

SECTION 102-203: Duration.

All permits issued under this article shall expire 120 days from the date of its issuance.

SECTION 102-204: Terms.

The terms of the permit shall be as follows:

- (1) The permittee shall not use any source point energy that exceeds 0.5 in/sec PPV and shall monitor PPV within 50 feet of any structure.
- (2) The written agreement shall cover any water well damage effective for 90 days after completion of the work.
- (3) At least one city police officer (off-duty) shall be employed to accompany the work crew while testing on the city rights-of-way, and the permittee shall provide 24-hour notice to the chief of police.
- (4) The permittee shall obtain written permission from citizens to enter their property.

SECTION 102-205. Reserved.

DIVISION 3: REGULATIONS.

SECTION 102-206: Explosives.

Explosives may be used with the prior and express written consent of the city council.

SECTION 102-207: Notice of time and place of use of testing methods.

No geophysical method of mineral exploration shall be used under this permit without the permittee having first, on the date of such proposed use, notified the city secretary and city manager of the proposed

time and location of the planned use. If the city secretary is not available, notice shall be given to the chief of police, in addition to the city manager, and if he is not available, then to any police personnel of the city. No testing shall be conducted on Sunday, nor between the hours of 8:00 p.m. and 6:00 a.m. local time unless prior approval by the City Manager. Notice shall also be given of the name of the person in charge of the testing for the permittee for the day on which notice is given. In addition, written notice of such testing to the occupants of all dwellings located within 300 feet of the test site at least 24 hours prior to the testing.

II.

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

III.

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

IV.

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary that the above regulations be immediately put into effect to provide public safety of persons and property for mineral exploration and testing, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with and this Ordinance should be passed finally on its introduction; and, accordingly, such requirement is dispensed with and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-093 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 10/24/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on an ordinance amending Schedule B to address Commercial Solid Waste Fees.
Sponsors: Finance
Indexes:
Code sections:
Attachments: [Ord - Commercial Garbage Fees 2018](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance amending Schedule B to address Commercial Solid Waste Fees.

Summary:

On September 3, 2013, Council entered into a five (5) year contract with Waste Management of Texas, Inc. (WMTI) for the collection and transportation of commercial solid waste. Per the contract, this agreement may be extended for an additional three (3) year term upon mutual written consent of both parties. Staff recently met with WMTI officials to discuss this renewal. WMTI proposed an extension of the current contract, which expires December 1, 2018, for this additional three (3) year period, with a few noteworthy changes:

1. The commercial base rates would rise by twelve percent (12%) in the first year and five percent (5%) in each of the subsequent two years. This replaces the existing provision for a cost increase, which is tied to fluctuations in the consumer price index (CPI). According to WMTI, their cost of business has well exceeded the annual CPI increase, which has averaged 1.95% during the last four years. Under the 3-year extension of the contract, the base rates would begin each December 1 of 2018, 2019, and 2020.

2. WMTI has proposed an "Unusual Accumulations Fee" of \$138.00 in instances where they must retrieve trash from an overflowing dumpster. Their proposed language related to "Unusual Collections" is noted below. The "Unusual Accumulations Fee" would be effective January 2, 2019:

"As to commercial customers, including apartment complexes, "Unusual Accumulations" means any waste, garbage, or trash located outside the dumpster regularly used for such collection service or any waste, garbage or trash that overfills, is left on top of, or exceeds the tonnage limit for the dumpster. WMTI may collect Unusual Accumulations and assess an overage charge ("Snapshot") for the collection and disposal of any Unusual Accumulations. The amount that WMTI shall charge for

collection, transportation, and disposal of Unusual Accumulations is set forth in Schedule 'A'.... WMTI shall have the right to take photographic or digital evidence of Unusual Accumulations."

No other provisions of the contract are set for change or amendment. City Council recently discussed this matter at City Council meetings on October 2 and October 16, and approved the 3-year extension of the contract for commercial waste removal services with WMTI, including the above referenced changes, at the October 16, 2018 meeting.

WMTI provided a new rate table effective December 1, 2018 and the new rates have been incorporated in the attached ordinance.

Fiscal/Budgetary Impact:

None. Expenditures in the FY 2018-2019 budget for commercial garbage collection are included in the Sanitation Department budget (Account No. 10-402-4220, Commercial Garbage Collection); however, these costs are offset by revenues in the General Fund (Account No. 10-000-3202, Commercial Garbage Fees). Per the contract, garbage collection from dumpsters used by the City at its facilities is provided at no cost to the City.

Approval of the ordinance amending Schedule B for Commercial Solid Waste Fees.

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX B (FEE SCHEDULE) OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK; PROVIDING NEW FEES FOR COMMERCIAL SOLID WASTE DISPOSAL; AND DECLARING AN EMERGENCY.

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

I.

Appendix B (Fee Schedule) of the Code of Ordinances of the City of Deer Park is hereby amended so that the fees for solid waste disposal shall hereinafter read as follows:

The occupant of each commercial establishment, apartment house, or mobile home park within the City of Deer Park who is required to use garbage containers shall pay to the City the following monthly base rates for service:

Container Pickups <i>Per Week</i>	Size of Container (cubic yards)					
	2	3	4	6	8	10
1x	\$ 57.42	\$ 80.98	\$ 84.03	\$ 86.13	\$ 114.82	\$ 143.54
2x	\$ 86.37	\$ 107.97	\$ 129.56	\$ 172.74	\$ 210.54	\$ 259.12
3x	\$ 107.97	\$ 156.55	\$ 183.55	\$ 242.92	\$ 313.11	\$ 356.28
4x	\$ 114.82	\$ 199.73	\$ 229.67	\$ 313.11	\$ 459.31	\$ 574.15
5x	\$ 143.54	\$ 291.51	\$ 287.07	\$ 464.25	\$ 615.41	\$ 637.00
6x	\$ 172.24	\$ 323.33	\$ 344.49	\$ 516.73	\$ 688.98	\$ 861.22
Extra P/U	\$ 60.49	\$ 66.54	\$ 72.59	\$ 78.64	\$ 84.68	\$ 90.74

Regarding extra pickups, the fee will be charged for each dumpster onsite, regardless of the number of dumpsters receiving the extra pickup.

Each monthly fee shall become due on the first day of the month. Late charges of ten (10) percent or \$5.00, whichever is greater, shall become effective on the 20th day of each month.

Additionally, other fees and pass through charges include the following:

Minimum late charges for solid waste	\$ 5.00
Add locking device (one-time charge for adding device)	\$ 78.60
Roll out fee (per container per pickup)	\$ 18.16
Dumpster delivery fee	\$ 145.19
Dumpster redelivery/relocation/swap fee (per event)	\$ 145.19
Unusual Accumulations Fee (overage charge)	\$ 138.00

Commercial waste disposal customers generating between 80 gallons – the equivalent of two (2) trash bags – and two (2) cubic yards of waste per semi-weekly trash removal cycle shall use trash removal carts provided by the City of Deer Park. The monthly fee for trash pickup shall be \$20 for the first cart, and an additional \$10 per each additional cart.

II.

The above rates shall be effective on December 1, 2018, with the exception of the Unusual Accumulations Fee, which shall be effective on January 2, 2019.

III.

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

IV.

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare in that it is necessary to amend the provisions of the Code of Ordinances increasing the Solid Waste Disposal Fees so the increased revenue can be made available immediately in order to provide for Solid Waste Disposal Services, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-095 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 10/30/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on an ordinance adding Sec. 22-35 (a)(5), Sec. 22-40 and Sec. 22-41 to the Code of Ordinances pertaining to Residential Solicitation.

Sponsors:

Indexes:

Code sections:

Attachments: [Solicitor Ordinance-Revised-city shows revised 11-6-18-actually revised 10-24-2018](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance adding Sec. 22-35 (a)(5), Sec. 22-40 and Sec. 22-41 to the Code of Ordinances pertaining to Residential Solicitation.

Summary: The City's residential solicitation's policy was amended to add and clarify the prohibited acts, denial or revocation of licenses, hearing on appeal and the emergency provision.

Fiscal/Budgetary Impact:

Adopt the ordinance adding the sections in the City Code of Ordinances for residential solicitation.

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTIONS 22-35 (a)(5), 22-40 AND 22-41 REGULATING RESIDENTIAL SOLICITORS, PEDDLERS OR CANVASSERS; ESTABLISHING REGISTRATION REQUIREMENTS FOR RESIDENTIAL SOLICITORS, PEDDLERS; OR CANVASSERS REGULATING HANDBILLS AND COMMERCIAL FLYERS; PROVIDING PENALTIES FOR VIOLATIONS AND DECLARING AN EMERGENCY.

WHEREAS, many citizens of this community expect their local government to assist them in preserving their privacy and avoiding petty annoyances that disrupt their quiet enjoyment of their homes; and

WHEREAS, the Supreme Court of the United States has consistently recognized the right and obligation of local governments to protect their citizens from fraud and harassment, particularly when solicitation of money is involved; and

WHEREAS, it is the responsibility of all units of government to balance these competing interests in a manner consistent with the Constitution of the United States and of Texas, while attempting to minimize fraud, prevent crime, and protect the privacy of our citizens.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, AS FOLLOWS:

Section 22-35 (a) is amended by adding (a) (5) as follows:

Prohibited Acts. (a) No residential solicitor, peddler or canvasser shall:

(5) Refuse to leave private property when requested.

Section 22-40. Denial or Revocation of License. (a) Grounds. Any license issued hereunder may be denied or revoked if the license holder is convicted of a violation of any provisions of this article or has knowingly made a false material statement in the application or otherwise becomes disqualified for the issuance of a license under the terms of this article, or has been convicted of a felony within ten years or a misdemeanor of moral turpitude within ten years; has been incarcerated for such act within the last

ten years; or is a high-risk sex offender as classified by the state department of public safety website at www.txdps.state.tx.us.

(b) Notice. If the city secretary denies (or upon completion of an investigation revokes) the license, the decision shall immediately be conveyed to the applicant orally and a written report prepared of the reason for the denial which shall be immediately made available to the applicant.

(c) Appeal; hearing. The licensee shall have ten days from the date of revocation or denial in which to file written notice of appeal to the city manager for the order denying or revoking the license. After hearing the appeal on the revocation or denial, the city manager shall either sustain the action or issue an order reinstating the License within five business days.

(d) Stay during appeal. In the event of the filing of an appeal from a revocation issued under the provisions of this article, until such appeal has been determined by the city manager, such revocation order shall be stayed.

Section 22-41. Hearing on Appeal. If the applicant requests a hearing under section 22-40, the hearing shall be held in accordance with the Administrative Procedure Act of the State of Texas, and review from the decision (on the record of the hearing) shall be in the county court in which the city is located. The hearing shall also be subject to the Texas Open Meetings and Records Law.

Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

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

Emergency Provision. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare in that it is necessary to amend the provisions of the Code Of Ordinances regulating Solicitors within the City of Deer Park in order to Protect the Citizens of the City, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction; and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

Effective Date: This ordinance shall be in full force and effect from and after

_____.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”.**

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 18-090 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on an ordinance amending the Fiscal Year 2018-2019 Capital Improvement Fund Budget for the new EMS Annex.

Sponsors:

Indexes:

Code sections:

Attachments: [Ord - Amend Budget FY19 CIP \(EMS Annex\)](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance amending the Fiscal Year 2018-2019 Capital Improvement Fund Budget for the new EMS Annex.

Summary:

In May 2017, City Council authorized the issuance of an RFQ for architectural services related to a planned EMS Annex adjacent to Fire Station #3. This new EMS Annex would accommodate EMS operations at a single location, including personnel, ambulances, and equipment. On September 19, 2017, City Council awarded a contract to PGAL for architectural pre-design and planning services. PGAL was awarded a second contract on March 6, 2018 for architectural design services. On September 4, 2018, City Council authorized the advertisement for construction bids on this project. Four bids were received and based on the low bid, the total project cost, which includes furniture, fixtures, and equipment, is now estimated at \$3,998,300.00. The Fire Control, Prevention, and Emergency Medical Services District (FCPEMSD), a component unit of the City, has \$2,650,000.00 available and budgeted in Fiscal Year 2018-2019 for the construction phase of this project. To complete the construction of the new EMS Annex will require an additional \$1,348,300.00, which exceeds the monies available in the FCPEMSD at this time. Since Fire Station #3 and any improvements (i.e., the annex) are City assets, the additional \$1,348,300.00 is being requested from the City to ensure the total required funds are available before award of the contract to complete construction of the EMS Annex. Funding for this budget amendment would come from the unassigned fund balance of the General Fund, which is available for this purpose.

Fiscal/Budgetary Impact:

Increase the Fiscal Year 2018-2019 Capital Improvement Fund Budget by \$1,348,300.00 to supplement the FCPEMSD funds budgeted for the construction of the EMS Annex at Fire Station #3

(Account 90-305-4902, Buildings) to be funded by the unassigned fund balance of the General Fund, which is available for this purpose.

Approve the ordinance amending the Fiscal Year 2018-2019 Capital Improvement Fund Budget for the new EMS Annex.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2018-2019 BUDGET FOR THE CITY OF DEER PARK, TEXAS, AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED; AND DECLARING AN EMERGENCY.

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

I.

That the City of Deer Park's budget for the fiscal year ending September 30, 2019 was duly prepared and filed with the City Secretary, where it was available for inspection by any taxpayer.

II.

That the Fire Control, Prevention, and Emergency Medical Services District (FCPEMSD) is a component unit of the City, and the FCPEMSD budget for the fiscal year ending September 30, 2019 is incorporated in the City of Deer Park's budget for the 2018-2019 fiscal year.

III.

That the FCPEMSD budget for the fiscal year ending September 30, 2019 includes funding of \$2,650,000.00 for the construction and furnishing of a new EMS Annex to be constructed adjacent to Fire Station #3.

IV.

That the current cost estimate of \$3,998,300.00 for the construction and furnishing of a new EMS Annex to be constructed adjacent to Fire Station #3 exceeds the amount available in the FCPEMSD at this time.

V.

That additional funding of \$1,348,300.00 is needed to ensure the total required funds are available before award of the contract to complete the construction and furnishing of a new EMS Annex to be constructed adjacent to Fire Station #3.

VI.

That since Fire Station #3 and any improvements are City assets, the City Council desires to see that sufficient funds are available to construct and furnish a new EMS Annex to be constructed adjacent to Fire Station #3.

VII.

That it is necessary to amend the Capital Improvements Fund budget for the fiscal year ending September 30, 2019 to include expenditures of \$1,348,300.00 for the additional funding needed for the current estimated cost to construct and furnish a new EMS Annex to be constructed adjacent to Fire Station #3.

VIII.

That funding for the amendment to the expenditures of the adopted budget of the Capital Improvements Fund for the fiscal year ending September 30, 2019 will include the amount of \$1,348,300.00 from the unassigned fund balance of the General Fund, which is available for this purpose.

IX.

That the regular budget of the City of Deer Park, Texas, for the fiscal year ending September 30, 2019, be, and the same is hereby, in all respects finally approved and amended as so described and shall be, and is hereby, filed with the City Secretary of said City.

X.

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

XI.

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

XII.

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

XIII.

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, and that approval of a 2018-2019 Budget amendment be adopted at the earliest possible moment to comply with the City Charter and Statutes of the State of Texas, and to provide protection for persons within the City, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction, and accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: BID 18-033 **Version:** 1 **Name:**
Type: Bids **Status:** Agenda Ready
File created: 10/30/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Awarding Bid to and authorizing a contract with Cox Commercial Construction LLC. for the Deer Park EMS Station.
Sponsors:
Indexes:
Code sections:
Attachments: [Bid Tabulation](#)
[Cox Commercial Construction - PGAL Recommendation 103118](#)

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Awarding Bid to and authorizing a contract with Cox Commercial Construction LLC. for the Deer Park EMS Station.

Summary:

Qualified bids were received from 4 bidders. Cox Commercial Construction provided the lowest bid, and has been recommended after review by the architectural firm, PGAL. The Deer Park Fire Control, Prevention, and Emergency Medical Services District (FCPEMSD) Board has also affirmed the recommendation.

Fiscal/Budgetary Impact:

This project will be jointly funded by the FCPEMSD and the City's General Fund (budget amendment to allocate funding from the General Fund under a separate agenda item).

Staff recommends approval of this award and contract.

BID OPENING

Thursday, October 04, 2018

[illegible]



October 31, 2018

Mr. Robert Hemminger
Director of Emergency Services
City of Deer Park
710 San Augustine Street
Deer Park, TX 77536

Re: City of Deer Park EMS Annex
Architect's Recommendation of General Contractor

Dear Robert,

On Thursday, October 4, 2018, sealed bids were opened for the above referenced project. There were a total of four (4) bidders, with a low bid of \$3,473,300.00 for the base bid, and \$3,623,300.00 including Owner's contingency allowance. The attached bid tabulation summarizes the results of the bid.

Cox Commercial Construction is the apparent low bidder, and since neither the City of Deer Park nor PGAL has recent experience working with them, we checked their listed references and met with them as a follow up to the bid. Our meeting with them gave us a comfort level that they are capable of performing the work, and they have performed well on similar projects in the past. Therefore, it is our recommendation that this bid be accepted and awarded to Cox Commercial Construction.

Please feel free to give me a call to discuss this recommendation. We appreciate the opportunity to provide continued service to the City of Deer Park.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. D. Bonnette", with a long horizontal flourish extending to the right.

Paul D. Bonnette, AIA
Principal

cc: File/1003720/6800

ALEXANDRIA
ATLANTA
AUSTIN
BOCA RATON
CHICAGO
DALLAS/FORT WORTH
HOBOKEN
HOUSTON
LAS VEGAS
LOS ANGELES
SAN DIEGO



Legislation Details (With Text)

File #: ORD 18-091 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 10/18/2018 **In control:** City Council
On agenda: 11/6/2018 **Final action:**
Title: Consideration of and action on an ordinance to amend the Fiscal Year 2018-2019 Water & Sewer Fund Budget for the Water Treatment Plant.

Sponsors:

Indexes:

Code sections:

Attachments: [Ord - Amend Budget FY19 WTP Cameras](#)

Date	Ver.	Action By	Action	Result
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Consideration of and action on an ordinance to amend the Fiscal Year 2018-2019 Water & Sewer Fund Budget for the Water Treatment Plant.

Summary:

The Fiscal Year 2017-2018 budget for the Water Treatment Plant included the amount of \$22,410.00 to replace the camera system at the Water Treatment Plant and three (3) remote well sites. In September 2018, a purchase order in the amount of \$22,914.12 was issued to Lensec, LLC, and the project was expected to be completed prior to the end of the fiscal year. Due to delays in completing the citywide network upgrade, a prerequisite for this camera installation, followed by delays in receiving the necessary camera equipment to complete this camera installation, the project was not completed by September 30, 2018. It is necessary to amend the Fiscal Year 2018-2019 budget for the remaining \$12,000.00 of work to complete the camera installation at the Water Treatment Plant and three (3) remote well sites.

Fiscal/Budgetary Impact:

Add \$12,000.00 to the Fiscal Year 2018-2019 Water & Sewer Fund Budget for the Water Treatment Plant (Account No. 40-506-4904, Machinery & Equipment) to be funded from the prior year revenue (fund reserves) in the Water & Sewer Fund, which is available for this purpose.

Recommended action:

Approve the ordinance to amend the FY 2018-2019 Water & Sewer Fund Budget for the Water

Treatment Plant.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2018-2019 BUDGET FOR THE CITY OF DEER PARK, TEXAS, AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED; AND DECLARING AN EMERGENCY.

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

I.

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

II.

That the City of Deer Park's budget for the fiscal year ending September 30, 2018 included the amount of \$22,410.00 to replace the camera system at the Water Treatment Plant and three (3) remote well sites.

III.

That due to delays completing the citywide network upgrade, a prerequisite for this camera installation, followed by delays in receiving the necessary camera equipment to complete the camera installation, the project was not completed during the fiscal year ending September 30, 2018 and will be completed during the fiscal year ending September 30, 2019.

IV.

That the City of Deer Park's budget for the fiscal year ending September 30, 2019 was duly prepared and filed with the City Secretary, where it is available for inspection by any taxpayer.

V.

That because of the aforementioned project delays, it is necessary to amend the Water & Sewer Fund budget for the fiscal year ending September 30, 2019 to include \$12,000.00 for the work remaining

to replace the camera system at the Water Treatment Plant and three (3) remote well sites during the fiscal year ending September 30, 2019.

VI.

That funding for the amendment to the expenses of the adopted budget of the Water & Sewer Fund for the fiscal year ending September 30, 2019 will include the amount of \$12,000.00 from the prior year revenue (fund reserves) of the Water & Sewer Fund, which is available for this purpose.

VII.

That the regular budget of the City of Deer Park, Texas, for the fiscal year ending September 30, 2019, be, and the same is hereby, in all respects finally approved and amended as so described above and shall be, and is hereby, filed with the City Secretary of said City.

VIII.

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

IX.

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

X.

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

XI.

The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, and that approval of a 2018-2019 Budget amendment be adopted at the earliest possible moment to comply with the City Charter and Statutes of the State of Texas, and to provide protection for persons within the City, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance be passed finally on its introduction, and accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #:	ORD 18-094	Version:	1	Name:	
Type:	Ordinance	Status:		Agenda Ready	
File created:	10/29/2018	In control:		City Council	
On agenda:	11/6/2018	Final action:			
Title:	Consideration of and action on an ordinance removing a board member of the Deer Park Community Development Corporation and appointing a replacement.				
Sponsors:	City Manager's Office				
Indexes:					
Code sections:					
Attachments:	Removing and appointing CDC member -Nov 2018				

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council		

Consideration of and action on an ordinance removing a board member of the Deer Park Community Development Corporation and appointing a replacement.

Summary:

The Deer Park Development Corporation is responsible for administering the proceeds of the dedicated Type B economic development sales and use tax for public park purposes and events. While this development corporation has the power to expend the proceeds of the Type B sales tax for purposes authorized by the Development Corporation Act and the voters, City Council retains authority to approve all programs and expenditures of the corporation.

The City Council appoints members of the Deer Park Community Development Corporation. On October 3, 2017, the City Council approved Ordinance No. 3931, thereby appointing Scott Sotelo to Position 3 of the Deer Park Community Development Corporation to a 2-year term while reserving the right to terminate said appointment at Council's will, with or without good cause. The Texas Local Government Code Section 505.051 states that a director of a Type B corporation is appointed by the governing body of the authorizing municipality for a two-year term and that a director may be removed by the governing body of the authorizing municipality at any time without cause.

The attached ordinance would remove Mr. Sotelo from the board and appoint a replacement.

Fiscal/Budgetary Impact:

N/A

Approve the ordinance removing a board member of the Deer Park Community Development Corporation and appointing a replacement.

ORDINANCE NO. _____

AN ORDINANCE REMOVING A BOARD MEMBER OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION OF THE CITY OF DEER PARK, TEXAS, AND APPOINTING A REPLACEMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Deer Park appoints members of the Deer Park Community Development Corporation, which is a Type B corporation that administers the Type B Sales tax approved by the voters in Deer Park; and

WHEREAS, on October 3, 2017, the City Council of the City of Deer Park approved Ordinance No. 3931, thereby appointing Scott Sotelo to Position 3 of the Deer Park Community Development Corporation to a 2-year term while reserving the right to terminate said appointment at Council's will, with or without good cause.; and

WHEREAS, Texas Local Government Code Section 505.051 states that a director of a Type B corporation is appointed by the governing body of the authorizing municipality for a two-year term and that a director may be removed by the governing body of the authorizing municipality at any time without cause.

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

- 1.** That **Scott Sotelo, Position 3**, be and is hereby terminated as member of Deer Park Community Development Corporation of the City of Deer Park, Texas.
- 2.** That _____, Position 3, be and is hereby appointed as a member of Deer Park Community Development Corporation of the City of Deer Park until September 30, 2019.
- 3.** That the right to terminate the aforesaid appointment is hereby reserved by the City Council of the City of Deer Park, Texas, and may be exercised by it at its will, with or without good cause.
- 4.** It is officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Government Code of the State of Texas.

5. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, in that it is necessary that members of the Community Development Corporation be appointed immediately so that the development of the City can continue without interruption, in order that the health, safety and welfare of its citizens may be safeguarded and preserved, thereby creating an emergency, for which the Charter requirements providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance should be passed finally on its introduction; and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2018 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney