

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

CALL TO ORDER

1. Executive Session - By authority of Article 6252-17 (Section 3-e,f, and g) [EXS 19-001](#)
V.A.T.S., and the Open Meetings Act, the Council may adjourn to an Executive Session related to following item(s):

a. Consultation with City Attorney - (551.071) Pending and/or Contemplated Litigation.

Recommended Action: No action will occur. Discussion only in Executive Session.

Department: City Manager's Office

2. Discussion of issues relating to the seeking of Fiscal Year 2020 STEP Comprehensive Traffic Enforcement Grant. [DIS 18-177](#)

Recommended Action: Discussion by council.

Department: Chief of Police Grigg and Police

Attachments: [2020 STEP Comp Budget Narrative](#)

[2020-DeerPark-S-1YG-00045](#)

[Chapter 22 Compensation Benefits and Conditions of Work revised 07062015](#)

[Chapter 61 Traffic Revised 04302014](#)

[DPPD STEP 2020 Zone 1](#)

[DPPD STEP 2020 Zone 2](#)

[DPPD STEP 2020 Zone 3](#)

[Mayor's Resolution STEP Comp FY 2020](#)

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.

3. Discussion of issues relating to the seeking of Fiscal Year 2020 STEP Commercial Vehicle Traffic Enforcement Grant.

[DIS 18-178](#)

Recommended Action: Discussion by council.

Department: Chief of Police Grigg and Police

Attachments: [2020 STEP CMV Budget Narrative](#)

[2020-DeerPark-S-CMV-00017](#)

[Chapter 22 Compensation Benefits and Conditions of Work revised 07062015](#)

[Chapter 61 Traffic Revised 04302014](#)

[DPPD FY 2020 CMV Enforcement Zone](#)

[Mayor's Resolution STEP CMV FY 2020](#)

4. Discussion of issues relating to general conditions, extended days, project cost and an extended canopy for the Maxwell Adult Center.

[DIS 19-004](#)

Recommended Action: Discussion Only

5. Discussion of issues relating to potential Charter Amendments.

[DIS 19-001](#)

Recommended Action: Discussion only

Attachments: [Charter Amendment Recommendations112618](#)

ADJOURN

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
January 4, 2019

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

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



Legislation Details (With Text)

File #: EXS 19-001 **Version:** 1 **Name:**
Type: Executive Session **Status:** Agenda Ready
File created: 12/26/2018 **In control:** City Council Workshop
On agenda: 1/8/2019 **Final action:**
Title: Executive Session - By authority of Article 6252-17 (Section 3-e,f, and g) V.A.T.S., and the Open Meetings Act, the Council may adjourn to an Executive Session related to following item(s):
a. Consultation with City Attorney - (551.071) Pending and/or Contemplated Litigation.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council Workshop		

Executive Session - By authority of Article 6252-17 (Section 3-e,f, and g) V.A.T.S., and the Open Meetings Act, the Council may adjourn to an Executive Session related to following item(s):

a. Consultation with City Attorney - (551.071) Pending and/or Contemplated Litigation.

Summary:

The City Council will adjourn into Executive Session to discuss with the City Attorney potential litigation.

Fiscal/Budgetary Impact:

n/a

No action will occur. Discussion only in Executive Session.



Legislation Details (With Text)

File #: DIS 18-177 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 12/13/2018 **In control:** City Council Workshop
On agenda: 1/8/2019 **Final action:**
Title: Discussion of issues relating to the seeking of Fiscal Year 2020 STEP Comprehensive Traffic Enforcement Grant.
Sponsors: Greg Grigg, Police
Indexes:
Code sections:

Attachments: [2020 STEP Comp Budget Narrative](#)
[2020-DeerPark-S-1YG-00045](#)
[Chapter 22 Compensation Benefits and Conditions of Work revised 07062015](#)
[Chapter 61 Traffic Revised 04302014](#)
[DPPD STEP 2020 Zone 1](#)
[DPPD STEP 2020 Zone 2](#)
[DPPD STEP 2020 Zone 3](#)
[Mayor's Resolution STEP Comp FY 2020](#)

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council Workshop		

Discussion of issues relating to the seeking of Fiscal Year 2020 STEP Comprehensive Traffic Enforcement Grant.

Discussion of issues relating to the seeking of a STEP Grant from TX DOT for traffic enforcement in fiscal year 2020.

Summary:

Presentation and discussion of issues relating to the seeking of FY 2020 STEP Comprehensive Traffic Enforcement Grant.

Fiscal/Budgetary Impact:

Fiscal year 2020 STEP grant will require in-kind match of approximately \$18,989.04 from the City of Deer Park, with TX DOT outlay of approximately \$40,949.74 for overtime salaries.

Discussion by council.

STEP – Comprehensive2020
City of Deer Park
Budget Narrative

(100) Expenditures for overtime are calculated as follows:

Officer Enforcement (TXDOT Salaries):	\$40,949.74
Sergeant Enforcement (Match Salaries):	\$12,019.28
Sergeant Supervision (Match Salaries):	\$6,969.76

Total Grant Funds:	\$59,938.78
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(200) Fringe Benefits: N/A

(300) Travel and Per Diem: N/A

(400) Equipment: N/A

(500) Supplies: N/A

(600) Contractual Services: N/A

(700) Other Miscellaneous: N/A

(800) Indirect Cost Rate: N/A

All PI&E materials will be provided by TXDOT at no cost to the City of Deer Park. Materials will be distributed to the public at local Deer Park events, schools, and activities as well as from an information kiosk in the lobby of the Deer Park Police Department.

All officer enforcement overtime (\$40,949.74) will be reimbursed by TXDOT, and equals 68.32% of the grant.

The City of Deer Park will contribute a total of \$18,989.04 toward in-kind match, which equals 31.68% toward the grant.

All total in-kind matching funds (\$18,989.04) will be derived from the below items:

- \$12,019.28 is salary match for Sergeant enforcement.
- \$6,969.76 is salary match for Sergeant/ Supervisory overtime.

- **The grand total of this Grant Proposal/
Project is \$59,938.78**

Embedded Secure Document

The file <https://cityofdeerpark.legistar.com/View.ashx?M=F&ID=6847126&GUID=EE94C345-A0CF-4D04-9313-17E9CE332652> is a secure document that has been embedded in this document. Double click the pushpin to view.



DEER PARK POLICE DEPARTMENT POLICIES and PROCEDURES

22

COMPENSATION, BENEFITS AND CONDITIONS OF WORK

Date Issued: 05/2002

Date Revised: 07/06/2015

22.0.1 Policy

It is the policy of the Deer Park Police Department that all employees be acquainted with their compensation, benefits and the working conditions of their employment. Employees providing contractual services shall retain all employment rights, including training, promotional opportunities, and other fringe benefits.

22.1.1 Compensation:

- A. The classification and compensation plan is set forth in the City of Deer Park Code of Ordinances. All police department positions, whether occupied or vacant are allocated to classes of work in accordance with the actual duties and responsibilities of the several positions. There may be one or more positions in a class. Each class is, in turn assigned to a pay range. The pay ranges are numbered from the lowest to the highest.
- B. Pay plan:
 - 1. Each pay range in the classification plan begins with a probation step then progresses through steps of annual pay, each step being higher than the preceding step.
 - 2. Copies of the plan, classification and pay ranges shall be maintained and made available to interested parties on the City of Deer Park Employee Intranet Page, which can be accessed by clicking on the "SIGN IN" button at the top right of the City's internet page.
- C. Compensatory time for employees will be authorized as compensation for overtime work, in accordance with City of Deer Park Administrative Policy #14 – Pay Practices, Overtime and Comp Time.
- D. Overtime pay for employees will be authorized in accordance with City of Deer Park Administrative Policy #14 – Pay Practices, Overtime and Comp Time.
- E. Salary augmentation:
 - 1. Merit Pay Increase - A merit pay increase, if recommended, is awarded for successful completion of the first six (6) months of probation and again after completion of one year. Merit increases are then awarded yearly until maximum pay is reached. The awarding of these merit pay increases is based upon performance evaluation reports submitted by the employee's supervisor. In addition, officers receive a merit pay increase after seven, nine, and eleven years of service.

22.2.2 Benefits Program:

- A. Retirement plan - The City of Deer Park and all of its full-time employees participate in the Texas Municipal Retirement System (www.tmr.com) as provided in the City of Deer Park Code of Ordinances.
- B. Health insurance for employees is subject to current City of Deer Park policy. Refer to Texas Municipal League Insurance Trust Fund employee booklet; consult with the insurance officer or visit www.tmlieb.org.
- C. Disability and death benefits are subject to current City of Deer Park policies. Refer to the Texas Municipal Retirement System handbook.
- D. Liability protection program:
 - 1. Police employees are covered by a law enforcement liability policy provided by the Texas Municipal League Intergovernmental Risk Pool and paid for by the City of Deer Park.
 - 2. The insuring agency will pay on behalf of the officer/employee all sums up to the maximum coverage that the officer becomes legally obligated to pay as damages because of:
 - a. Bodily injury, property damage, advertising injury or personal injury that arises from the officer's law enforcement activities.
 - b. Bodily injury that arises out of the officer's law enforcement activities from rendering or failure to render incidental medical services or first aid (including transportation) at the scene of an accident or injury by any officer not regularly engaged in the medical profession.
- E. Education benefits:
 - 1. The City of Deer Park provides educational reimbursement to regular full-time employees of the City of Deer Park who attend a pre-approved university or college level course on their off duty hours.
 - 2. Educational reimbursement is intended to assist employees in maintaining a satisfactory level of knowledge and expertise in their present position and to enable them to fully develop their potential for future advancement with the City.
 - 3. Educational reimbursement will be provided as described in Administrative Policy #15 of the City of Deer Park.

22.3.5 Extra-duty employment

A. Definitions:

- 1. Employee – includes both sworn and non-sworn employees of the City of Deer Park Police Department.

2. Extra-Duty employment - secondary employment in which the use of law enforcement power is anticipated.
3. Extra Job Coordinator – the individual responsible for being the point of coordination or administration within the agency to oversee adherence to policies, processes and related matters pertaining to secondary employment. The Internal Affairs Lieutenant is designated as the Extra Job Coordinator.
4. Off-Duty employment - secondary employment in which the use of law enforcement power is not anticipated.
5. Primary Employment – employment by the City of Deer Park Police Department.
6. Resident Security Officer - a Deer Park Peace Officer that resides in and provides extra-duty employment duties for a multi-family complex.
7. PD-128 (SECONDARY EMPLOYMENT APPROVAL REQUEST & APPLICATION) – a department form that is completed and submitted by:
 - a. the Extra Job Coordinator to the Chief of Police. It is used to determine whether secondary employment is approved or disapproved.
 - b. an employee through the chain of command (via email) to the Chief of Police. It is used to request permission to engage in secondary employment; and, document the significant aspects of requested secondary employment. (CALEA 22.3.5.e.)

8. Work Day - a 24 hour period of time that starts with each employee's regular shift of duty.

9. Work Week - a seven (7) day period of time which begins with each employee's regular shift of duty, and remains the same throughout the week.

B. An employee that chooses to engage in secondary (off-duty or extra-duty) employment:

1. understands that primary employment takes priority over secondary employment, and that secondary employment is a privilege, not an entitlement, and may be amended or revoked by the Chief of Police.
2. shall be responsible for keeping up with the amount of regular duty, overtime or secondary employment that he / she works each work day and work week.
3. shall maintain a professional demeanor and conform to the policies, rules, and regulations of the Deer Park Police Department. (CALEA 22.3.5.b.)
4. shall not allow secondary employment to interfere in any way with the performance of his / her official duties or the effective operations of the department.
5. shall not engage in any secondary employment activity while on duty.
6. shall not engage in secondary employment voluntarily or for personal remuneration without requesting and receiving agency permission. (CALEA 22.3.5.a.)
7. and, no employee shall work regular duty, overtime, secondary employment, or any combination of these:

- a. that exceeds 16 hours in a work day.
- b. that exceeds 70 hours in a work week.
- c. that prevents the employee from being off-duty a minimum of 7 consecutive hours in a work day.

- 8. shall not work secondary employment that would, in the opinion of the agency, constitute a conflict of interest or tend to bring discredit to the agency. Examples of prohibited secondary employment include, but are not limited to: bail bonding companies; bartending; collection agencies; private investigations; or, vehicle towing.
- 9. shall not work secondary employment when on disability leave; injury leave; leave of absence; light duty; sick leave; or, has been relieved of duty.
- 10. shall submit (via email) a SECONDARY EMPLOYMENT APPROVAL REQUEST & APPLICATION (PD-128) to their immediate supervisor prior to working a secondary employment assignment.

DEER PARK POLICE DEPARTMENT POLICIES and PROCEDURES

61

TRAFFIC

Date Issued: 05/2002

Date Revised: 04/30/2014

61.1.0 Policy.

It is the policy of the Deer Park Police Department to have processes and procedures in place that enable the Department to execute its traffic related responsibilities and services. To accomplish this, the Department's activities will be specifically directed toward reducing violations through preventive patrol and active enforcement.

61.1.1 Selective traffic enforcement. The Neighborhood Services Bureau will have the responsibility for the Department's selective traffic enforcement. The Departments' selective traffic enforcement activities include:

A. Compilation and review of traffic collision data. The data to be considered when reviewing traffic accidents will come from records maintained from the records section and compiled by the Crime Analyst Unit. The review will consider the following factors:

1. Kinds of vehicle involved;
2. Volume of traffic;
3. Weather conditions;
4. Types of violations;
5. Time of day;
6. Day of week;
7. Location of accidents;
8. Types of collisions; and
9. Nature of injuries.

B. Compilation and review of traffic enforcement activities. The data to be considered when reviewing traffic enforcement activities will come from computerized records and compiled by the Traffic Enforcement Sergeant. The review will be based on the following factors:

1. Enforcement activity records;
2. Collision data;
3. Time of day;
4. Day of week;
5. Traffic volume; and
6. Traffic conditions.
7. Enforcement Locations

C. Comparison of collision data and enforcement activities data.

1. The Crime Analyst is responsible for the traffic review for the Community Services Division. A monthly report will be provided to the Traffic Unit

Sergeant and the Patrol Shift Sergeants.

2. The monthly reports will be compared to the previous months report and used to determine proper enforcement action, techniques and procedures to be taken to reduce traffic accidents and traffic related calls for service.

D. Implementation of selective enforcement techniques and procedures.

1. Administrative responsibilities - Implementation of selective enforcement techniques and procedures is the responsibility of the Traffic Unit and the Community Services Division Shift Sergeants. The Traffic Unit is designated within the Community Services Division under the direct supervision of the Traffic Unit Sergeant. Selective enforcement action will be undertaken in those areas where review of traffic crashes and violations indicates, or is based upon complaints or requests from citizens. Patterns of cause and/or sudden increases in the number and severity of crashes or violations are reason for extra enforcement activity at a given location.
2. Officer responsibilities.
 - a. Members of the Traffic Unit are tasked with reducing the number of traffic-related calls for service as well as reducing the number of accidents within the city. To accomplish this goal, the Traffic Unit has the primary responsibility of traffic problem identification and traffic enforcement, including the issuance of traffic citations.
 - b. Since there is a close interrelationship between traffic enforcement and all other law enforcement activities, the responsibility for enforcing traffic laws and regulations must be shared by all uniformed personnel. Traffic law enforcement is a supplement to regular patrol duty.
 - c. Officers should be particularly alert for hazardous violations. The emphasis should be on high volume roadways, high crash intersections and locations within the officer's geographical responsibility.
 - d. Officers shall take appropriate enforcement action whenever an enforceable violation is detected. This shall include provable violations determined as the result of crash investigations.
 - e. Officers are encouraged to employ tolerance when:
 1. There is a reasonable possibility of human error in judgment of the officer or the citizen.
 2. There is a reasonable possibility of malfunction of the mechanical equipment with no knowledge or intent of the driver.
 3. The content of the particular law that has been violated is not common knowledge.
 - f. These tolerances shall be uniformly applied for the purpose of affording just treatment to the public.

E. Deployment of traffic enforcement personnel.

1. The deployment of personnel shall be determined by a review of available crash data and traffic related calls for service.
 2. Shift supervisors and the Traffic Unit Sergeant will be responsible for deployment of enforcement units and equipment.
 3. The purpose of the assignment is to take enforcement action against those violations determined to cause accidents.
- F. The Community Services Lieutenant will evaluate the selective traffic enforcement annually. A report will be submitted through the chain of command to the Chief of Police, summarizing the evaluation.
- G. The Traffic Division Sergeant is responsible for the duties of the STEP Supervisor. This position will manage and monitor the Selective Traffic Enforcement Program (STEP) program. This position is also responsible for the submission of any necessary reports to TXDOT, the Community Services Lieutenant and the Grant Administrator for review and submission as required
1. Employees will be paid overtime in accordance with Deer Park Police Department General Orders 22.1.1 and applicable city policies. Employees **may not** elect compensatory time in lieu of overtime pay for enforcement activities. If any employee working STEP is directed to perform duties outside of STEP, the *STEP Speed Enforcement Program / Daily Report – Time Report Form*, PD – 192 will reflect the time of the change of activity and an *Attendance Worksheet*, PD – 40 will be utilized to report the time accrued performing the duties to which the employee was reassigned.
 2. The STEP supervisor will review performance standards that will be documented on a daily basis by the officers who are working STEP. These indicators will be as follows:
 - a. Date worked on the STEP program.
 - b. Total hours worked.
 - c. Total miles driven.
 - d. Total enforcement hours worked on-site.
 - e. Total Arrests.
 - f. Total DWIs.
 - g. Total speeding citations.
 - h. Total seatbelt citations.
 - i. Total other hazardous citations.
 - j. Total non-hazardous citations.
 - k. Total warnings.
 - l. Total traffic-related contacts.
 3. In that STEP is a volunteer traffic enforcement program with hours worked for overtime; employees are expected to meet minimum performance standards as established by the applicable operations plan.
 4. An officer's eligibility in the program may be withdrawn for:
 - a. Failure to meet established performance standards.
 - b. At the discretion of the Chief of Police.
 5. STEP performance standards will be reviewed monthly by the STEP Supervisor to ensure compliance with G.2 of this policy and any applicable grant requirements.

6. All Officers working STEP will comply with the operational plans of the program by:

A. Completely filling out the *STEP Speed Enforcement Program / Daily Report – Time Report Form*, PD – 192;

B. Focusing enforcement activities to program specified and selected locations; and

C. Attempting to meet program specified and established productivity goals

61.1.2 Procedures for taking enforcement action incidental to traffic law violations.

A. Physical Arrests - Officers will make a physical arrest, in compliance with the Texas Transportation Code in the following circumstances:

1. Violations of traffic laws pertaining to driving under the influence of alcohol or other intoxicants.
2. Whenever a felony has been committed involving a vehicle.
3. When the officer has reason to believe that the person will not appear in court as stipulated on the citation, and when the offense is one for which a custodial arrest may be made.
4. Whenever the operator refuses to sign the promise to appear on the traffic citation

B. Citations.

1. A Department citation should be issued to a violator who jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations or operating unsafe and improperly equipped vehicles.
2. The Department prohibits ticket quotas, but acknowledges that both qualitative and quantitative emphases are integral to the Department's traffic enforcement program.

C. Warnings - Officers may issue warnings to a violator whenever a minor traffic infraction is committed in areas where traffic accidents are minimal, or when the act may be due to ignorance of a local ordinance that may be a unique violation or a violation of which the driver may not be aware. A properly administered warning can be more effective than any other type of enforcement.

61.1.3 Handling special categories of violators.

A. Non-residents - Officers shall consider use of warnings for non-residents who commit minor, non-moving, non-hazardous violations. If appropriate, given the type of violation, officers may issue non-residents a citation, provided the violator's home state is a reciprocal one. If non-residents are from a non-reciprocal state, they may be issued a citation or taken directly to a magistrate for the posting of a cash bond, if the circumstances of the infraction require such action.

B. Juveniles -Officers issuing a traffic citation to a juvenile offender (ages 10 through 16) should advise them that a parent or guardian must accompany them when they appear

3YR K/A Within 1 Minute Drivetimes (8/1/2015 - 7/31/2018)

1 2-5 6-10 11-20 21-30 31-60

1YR K/A Crashes (8/1/2017 - 7/31/2018)

1 2-5 6-10 11-20 21-30 31-60

Legend:

- 1 Mile
- 8 Miles

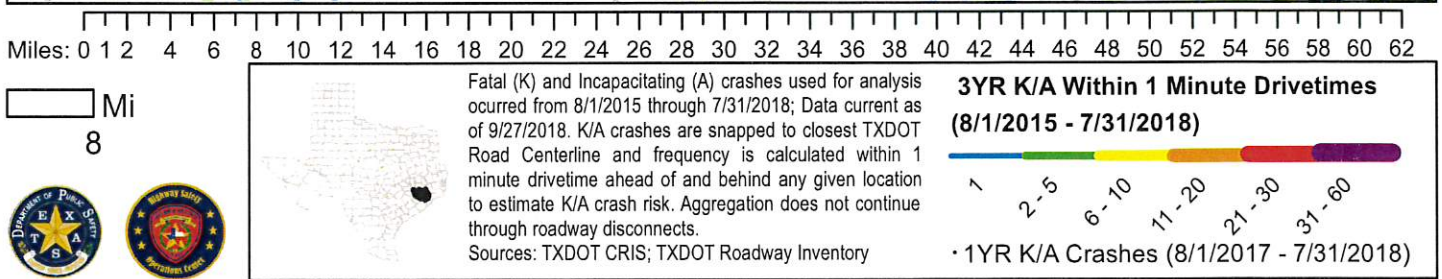
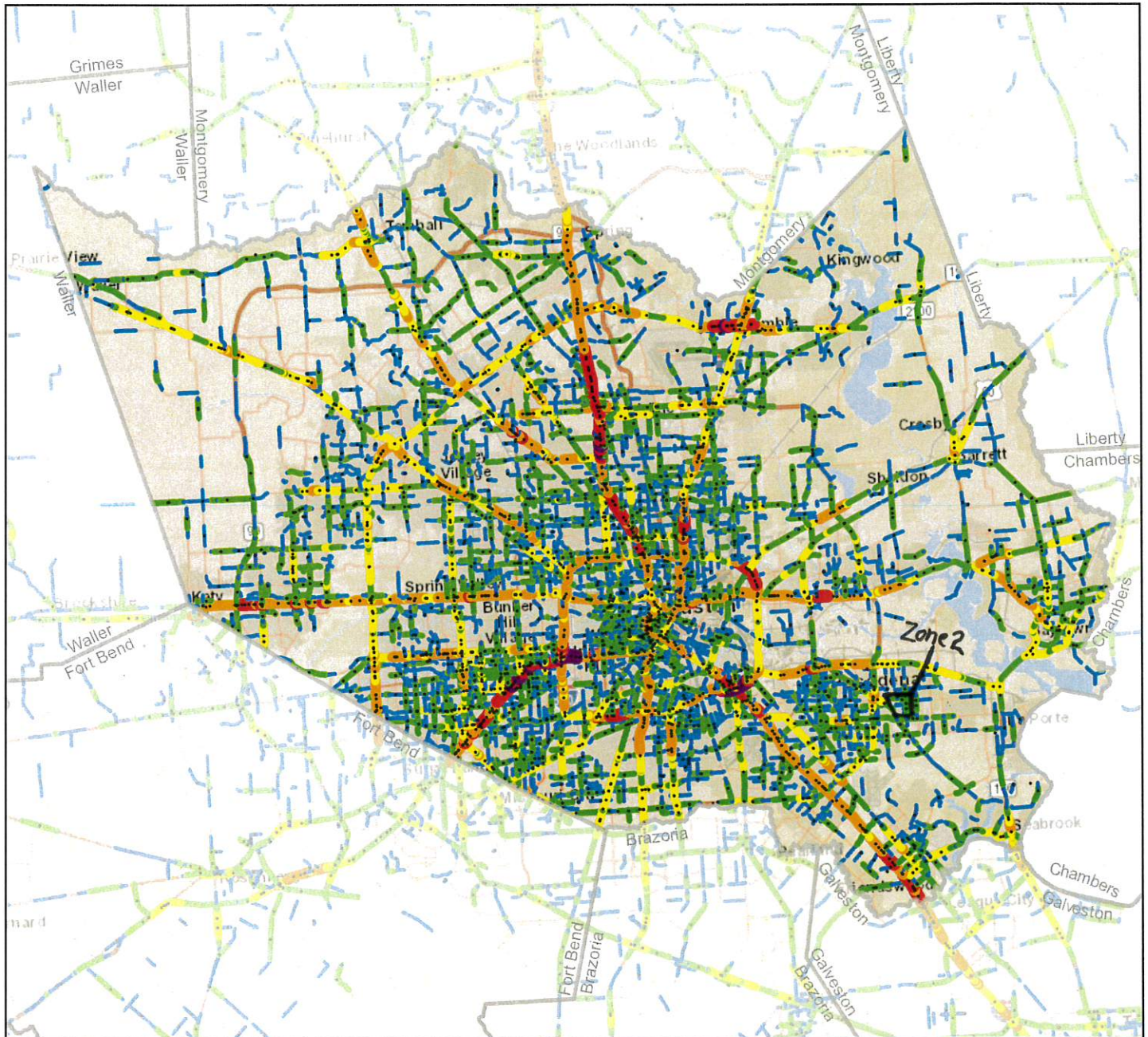
Scale: 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60 62 Miles

Map Labels: Grimes Waller, Montgomery, Waller, Fort Bend, Brazoria, Galveston, Chambers, Liberty, Kingwood, Spring Branch, Humble, Houston, Seabrook, Pasadena, Baytown, The Woodlands, Spring Branch, Humble, Houston, Seabrook, Pasadena, Baytown, The Woodlands.

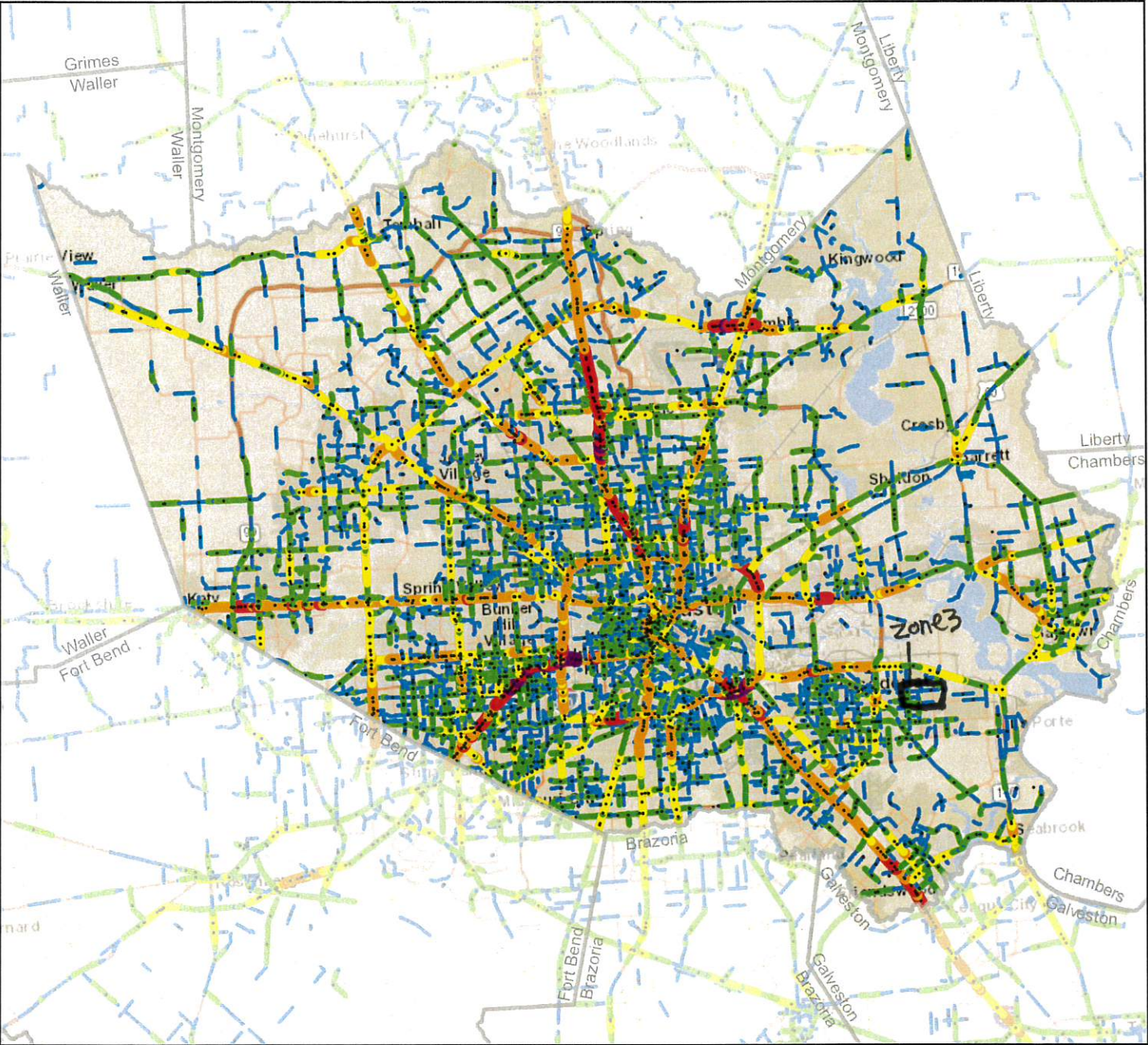
Text: Fatal (K) and Incapacitating (A) crashes used for analysis occurred from 8/1/2015 through 7/31/2018; Data current as of 9/27/2018. K/A crashes are snapped to closest TXDOT Road Centerline and frequency is calculated within 1 minute drivetime ahead of and behind any given location to estimate K/A crash risk. Aggregation does not continue through roadway disconnects.

Sources: TXDOT CRIS; TXDOT Roadway Inventory

Harris FY2020 STEP-COMP

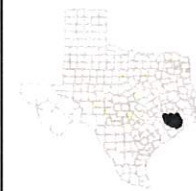


Harris FY2020 STEP-COMP



Miles: 0 1 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60 62

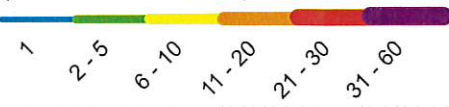
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Fatal (K) and Incapacitating (A) crashes used for analysis occurred from 8/1/2015 through 7/31/2018; Data current as of 9/27/2018. K/A crashes are snapped to closest TXDOT Road Centerline and frequency is calculated within 1 minute drivetime ahead of and behind any given location to estimate K/A crash risk. Aggregation does not continue through roadway disconnects.

Sources: TXDOT CRIS; TXDOT Roadway Inventory

3YR K/A Within 1 Minute Drivetimes (8/1/2015 - 7/31/2018)



2-5 6-10 11-20 21-30 31-60

• 1YR K/A Crashes (8/1/2017 - 7/31/2018)



Resolution No. _____

A RESOLUTION AUTHORIZING AND APPROVING A GRANT APPLICATION AND AGREEMENT BETWEEN THE CITY OF DEER PARK, TEXAS, AND THE STATE OF TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION IN THE AMOUNT OF FIFTY-NINE THOUSAND NINE HUNDRED THIRTY-EIGHT DOLLARS AND SEVENTY-EIGHT CENTS (\$59,938.78) TO CONDUCT A S.T.E.P. PROGRAM DIRECTED AT COMPREHENSIVE TRAFFIC ENFORCEMENT TO BE ADMINISTERED BY THE POLICE DEPARTMENT.

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

Section 1. That the Mayor is hereby authorized and directed to execute for and on behalf of the City a grant application and agreement pursuant thereto, a copy of which grant application is attached hereto and incorporated herein for all purposes as Exhibit “A”, between the State of Texas Department of Highways and Public Transportation and the City of Deer Park to conduct a STEP- Selective Traffic Enforcement Program to be administered by the Police Department. The program will be focused on reducing the number of accidents, injuries, and fatalities in Deer Park through the overtime enforcement of traffic statutes and public awareness efforts during the period of time from October 1, 2019, through September 30, 2020.

Section 2. That the State will contribute the amount of forty thousand nine hundred forty-nine dollars and seventy-four cents (\$40,949.74) and the City’s contribution shall be the amount of eighteen thousand nine hundred eighty-nine dollars and four cents (\$18,989.04), for the total grant amount of fifty-nine thousand nine hundred thirty-eight dollars and seventy-eight cents (\$59,938.78). The City’s contribution shall be composed of the salaries attached to certain employees assigned to work the program.

Section 3. That the City Council officially determines that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a

place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further confirms such written notice and the contents and posting thereof.

PASSED, APPROVED, AND ADOPTED THIS THE ____ DAY OF _____ A.D., 2019.

MAYOR, CITY OF DEER PARK, TEXAS

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY



Legislation Details (With Text)

File #: DIS 18-178 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 12/13/2018 **In control:** City Council Workshop
On agenda: 1/8/2019 **Final action:**
Title: Discussion of issues relating to the seeking of Fiscal Year 2020 STEP Commercial Vehicle Traffic Enforcement Grant.
Sponsors: Greg Grigg, Police
Indexes:
Code sections:

Attachments: [2020 STEP CMV Budget Narrative](#)
[2020-DeerPark-S-CMV-00017](#)
[Chapter 22 Compensation Benefits and Conditions of Work revised 07062015](#)
[Chapter 61 Traffic Revised 04302014](#)
[DPPD FY 2020 CMV Enforcement Zone](#)
[Mayor's Resolution STEP CMV FY 2020](#)

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council Workshop		

Discussion of issues relating to the seeking of Fiscal Year 2020 STEP Commercial Vehicle Traffic Enforcement Grant.

Discussion of issues relating to the seeking of a STEP Grant from TX DOT for commercial vehicle traffic enforcement in fiscal year 2020.

Summary:

Presentation and discussion of issues relating to the seeking of FY 2020 STEP CMV Traffic Enforcement Grant.

Fiscal/Budgetary Impact:

Fiscal year 2020 STEP grant will require in-kind match of approximately \$3,200.40 from the City of Deer Park, with TX DOT outlay of approximately \$11,948.20 for overtime salaries.

Discussion by council.

STEP – CMV 2020
City of Deer Park
Budget Narrative

(100) Expenditures for overtime are calculated as follows:

Officer Enforcement (TXDOT Salaries):	\$11,948.20
Sergeant Enforcement (Match Salaries):	\$3,200.40

Total Grant Funds:	\$15,148.60
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(200) Fringe Benefits: N/A

(300) Travel and Per Diem: N/A

(400) Equipment: N/A

(500) Supplies: N/A

(600) Contractual Services: N/A

(700) Other Miscellaneous: N/A

(800) Indirect Cost Rate: N/A

All PI&E materials will be provided by TXDOT at no cost to the City of Deer Park. Materials will be distributed to the public at local Deer Park events, schools, and activities as well as from an information kiosk in the lobby of the Deer Park Police Department.

All officer enforcement overtime (\$11,948.20) will be reimbursed by TXDOT, and equals 78.87% of the grant.

The City of Deer Park will contribute a total of \$3,200.40 toward in-kind match, which equals 21.13% toward the grant.

All total in-kind matching funds (\$3,200.40) will be derived from the below items:

- \$3,200.40 is salary match for Sergeant enforcement.

• **The grand total of this Grant Proposal/
Project is \$15,148.60**

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DEER PARK POLICE DEPARTMENT POLICIES and PROCEDURES

22

COMPENSATION, BENEFITS AND CONDITIONS OF WORK

Date Issued: 05/2002

Date Revised: 07/06/2015

22.0.1 Policy

It is the policy of the Deer Park Police Department that all employees be acquainted with their compensation, benefits and the working conditions of their employment. Employees providing contractual services shall retain all employment rights, including training, promotional opportunities, and other fringe benefits.

22.1.1 Compensation:

- A. The classification and compensation plan is set forth in the City of Deer Park Code of Ordinances. All police department positions, whether occupied or vacant are allocated to classes of work in accordance with the actual duties and responsibilities of the several positions. There may be one or more positions in a class. Each class is, in turn assigned to a pay range. The pay ranges are numbered from the lowest to the highest.
- B. Pay plan:
 - 1. Each pay range in the classification plan begins with a probation step then progresses through steps of annual pay, each step being higher than the preceding step.
 - 2. Copies of the plan, classification and pay ranges shall be maintained and made available to interested parties on the City of Deer Park Employee Intranet Page, which can be accessed by clicking on the "SIGN IN" button at the top right of the City's internet page.
- C. Compensatory time for employees will be authorized as compensation for overtime work, in accordance with City of Deer Park Administrative Policy #14 – Pay Practices, Overtime and Comp Time.
- D. Overtime pay for employees will be authorized in accordance with City of Deer Park Administrative Policy #14 – Pay Practices, Overtime and Comp Time.
- E. Salary augmentation:
 - 1. Merit Pay Increase - A merit pay increase, if recommended, is awarded for successful completion of the first six (6) months of probation and again after completion of one year. Merit increases are then awarded yearly until maximum pay is reached. The awarding of these merit pay increases is based upon performance evaluation reports submitted by the employee's supervisor. In addition, officers receive a merit pay increase after seven, nine, and eleven years of service.

22.2.2 Benefits Program:

- A. Retirement plan - The City of Deer Park and all of its full-time employees participate in the Texas Municipal Retirement System (www.tmr.com) as provided in the City of Deer Park Code of Ordinances.
- B. Health insurance for employees is subject to current City of Deer Park policy. Refer to Texas Municipal League Insurance Trust Fund employee booklet; consult with the insurance officer or visit www.tmliebp.org.
- C. Disability and death benefits are subject to current City of Deer Park policies. Refer to the Texas Municipal Retirement System handbook.
- D. Liability protection program:
 - 1. Police employees are covered by a law enforcement liability policy provided by the Texas Municipal League Intergovernmental Risk Pool and paid for by the City of Deer Park.
 - 2. The insuring agency will pay on behalf of the officer/employee all sums up to the maximum coverage that the officer becomes legally obligated to pay as damages because of:
 - a. Bodily injury, property damage, advertising injury or personal injury that arises from the officer's law enforcement activities.
 - b. Bodily injury that arises out of the officer's law enforcement activities from rendering or failure to render incidental medical services or first aid (including transportation) at the scene of an accident or injury by any officer not regularly engaged in the medical profession.
- E. Education benefits:
 - 1. The City of Deer Park provides educational reimbursement to regular full-time employees of the City of Deer Park who attend a pre-approved university or college level course on their off duty hours.
 - 2. Educational reimbursement is intended to assist employees in maintaining a satisfactory level of knowledge and expertise in their present position and to enable them to fully develop their potential for future advancement with the City.
 - 3. Educational reimbursement will be provided as described in Administrative Policy #15 of the City of Deer Park.

22.3.5 Extra-duty employment

A. Definitions:

- 1. Employee – includes both sworn and non-sworn employees of the City of Deer Park Police Department.

2. Extra-Duty employment - secondary employment in which the use of law enforcement power is anticipated.
3. Extra Job Coordinator – the individual responsible for being the point of coordination or administration within the agency to oversee adherence to policies, processes and related matters pertaining to secondary employment. The Internal Affairs Lieutenant is designated as the Extra Job Coordinator.
4. Off-Duty employment - secondary employment in which the use of law enforcement power is not anticipated.
5. Primary Employment – employment by the City of Deer Park Police Department.
6. Resident Security Officer - a Deer Park Peace Officer that resides in and provides extra-duty employment duties for a multi-family complex.
7. PD-128 (SECONDARY EMPLOYMENT APPROVAL REQUEST & APPLICATION) – a department form that is completed and submitted by:
 - a. the Extra Job Coordinator to the Chief of Police. It is used to determine whether secondary employment is approved or disapproved.
 - b. an employee through the chain of command (via email) to the Chief of Police. It is used to request permission to engage in secondary employment; and, document the significant aspects of requested secondary employment. (CALEA 22.3.5.e.)

8. Work Day - a 24 hour period of time that starts with each employee's regular shift of duty.

9. Work Week - a seven (7) day period of time which begins with each employee's regular shift of duty, and remains the same throughout the week.

B. An employee that chooses to engage in secondary (off-duty or extra-duty) employment:

1. understands that primary employment takes priority over secondary employment, and that secondary employment is a privilege, not an entitlement, and may be amended or revoked by the Chief of Police.
2. shall be responsible for keeping up with the amount of regular duty, overtime or secondary employment that he / she works each work day and work week.
3. shall maintain a professional demeanor and conform to the policies, rules, and regulations of the Deer Park Police Department. (CALEA 22.3.5.b.)
4. shall not allow secondary employment to interfere in any way with the performance of his / her official duties or the effective operations of the department.
5. shall not engage in any secondary employment activity while on duty.
6. shall not engage in secondary employment voluntarily or for personal remuneration without requesting and receiving agency permission. (CALEA 22.3.5.a.)
7. and, no employee shall work regular duty, overtime, secondary employment, or any combination of these:

- a. that exceeds 16 hours in a work day.
- b. that exceeds 70 hours in a work week.
- c. that prevents the employee from being off-duty a minimum of 7 consecutive hours in a work day.

- 8. shall not work secondary employment that would, in the opinion of the agency, constitute a conflict of interest or tend to bring discredit to the agency. Examples of prohibited secondary employment include, but are not limited to: bail bonding companies; bartending; collection agencies; private investigations; or, vehicle towing.
- 9. shall not work secondary employment when on disability leave; injury leave; leave of absence; light duty; sick leave; or, has been relieved of duty.
- 10. shall submit (via email) a SECONDARY EMPLOYMENT APPROVAL REQUEST & APPLICATION (PD-128) to their immediate supervisor prior to working a secondary employment assignment.

DEER PARK POLICE DEPARTMENT POLICIES and PROCEDURES

61

TRAFFIC

Date Issued: 05/2002

Date Revised: 04/30/2014

61.1.0 Policy.

It is the policy of the Deer Park Police Department to have processes and procedures in place that enable the Department to execute its traffic related responsibilities and services. To accomplish this, the Department's activities will be specifically directed toward reducing violations through preventive patrol and active enforcement.

61.1.1 Selective traffic enforcement. The Neighborhood Services Bureau will have the responsibility for the Department's selective traffic enforcement. The Departments' selective traffic enforcement activities include:

A. Compilation and review of traffic collision data. The data to be considered when reviewing traffic accidents will come from records maintained from the records section and compiled by the Crime Analyst Unit. The review will consider the following factors:

1. Kinds of vehicle involved;
2. Volume of traffic;
3. Weather conditions;
4. Types of violations;
5. Time of day;
6. Day of week;
7. Location of accidents;
8. Types of collisions; and
9. Nature of injuries.

B. Compilation and review of traffic enforcement activities. The data to be considered when reviewing traffic enforcement activities will come from computerized records and compiled by the Traffic Enforcement Sergeant. The review will be based on the following factors:

1. Enforcement activity records;
2. Collision data;
3. Time of day;
4. Day of week;
5. Traffic volume; and
6. Traffic conditions.
7. Enforcement Locations

C. Comparison of collision data and enforcement activities data.

1. The Crime Analyst is responsible for the traffic review for the Community Services Division. A monthly report will be provided to the Traffic Unit

Sergeant and the Patrol Shift Sergeants.

2. The monthly reports will be compared to the previous months report and used to determine proper enforcement action, techniques and procedures to be taken to reduce traffic accidents and traffic related calls for service.

D. Implementation of selective enforcement techniques and procedures.

1. Administrative responsibilities - Implementation of selective enforcement techniques and procedures is the responsibility of the Traffic Unit and the Community Services Division Shift Sergeants. The Traffic Unit is designated within the Community Services Division under the direct supervision of the Traffic Unit Sergeant. Selective enforcement action will be undertaken in those areas where review of traffic crashes and violations indicates, or is based upon complaints or requests from citizens. Patterns of cause and/or sudden increases in the number and severity of crashes or violations are reason for extra enforcement activity at a given location.
2. Officer responsibilities.
 - a. Members of the Traffic Unit are tasked with reducing the number of traffic-related calls for service as well as reducing the number of accidents within the city. To accomplish this goal, the Traffic Unit has the primary responsibility of traffic problem identification and traffic enforcement, including the issuance of traffic citations.
 - b. Since there is a close interrelationship between traffic enforcement and all other law enforcement activities, the responsibility for enforcing traffic laws and regulations must be shared by all uniformed personnel. Traffic law enforcement is a supplement to regular patrol duty.
 - c. Officers should be particularly alert for hazardous violations. The emphasis should be on high volume roadways, high crash intersections and locations within the officer's geographical responsibility.
 - d. Officers shall take appropriate enforcement action whenever an enforceable violation is detected. This shall include provable violations determined as the result of crash investigations.
 - e. Officers are encouraged to employ tolerance when:
 1. There is a reasonable possibility of human error in judgment of the officer or the citizen.
 2. There is a reasonable possibility of malfunction of the mechanical equipment with no knowledge or intent of the driver.
 3. The content of the particular law that has been violated is not common knowledge.
 - f. These tolerances shall be uniformly applied for the purpose of affording just treatment to the public.

E. Deployment of traffic enforcement personnel.

1. The deployment of personnel shall be determined by a review of available crash data and traffic related calls for service.
 2. Shift supervisors and the Traffic Unit Sergeant will be responsible for deployment of enforcement units and equipment.
 3. The purpose of the assignment is to take enforcement action against those violations determined to cause accidents.
- F. The Community Services Lieutenant will evaluate the selective traffic enforcement annually. A report will be submitted through the chain of command to the Chief of Police, summarizing the evaluation.
- G. The Traffic Division Sergeant is responsible for the duties of the STEP Supervisor. This position will manage and monitor the Selective Traffic Enforcement Program (STEP) program. This position is also responsible for the submission of any necessary reports to TXDOT, the Community Services Lieutenant and the Grant Administrator for review and submission as required
1. Employees will be paid overtime in accordance with Deer Park Police Department General Orders 22.1.1 and applicable city policies. Employees **may not** elect compensatory time in lieu of overtime pay for enforcement activities. If any employee working STEP is directed to perform duties outside of STEP, the *STEP Speed Enforcement Program / Daily Report – Time Report Form*, PD – 192 will reflect the time of the change of activity and an *Attendance Worksheet*, PD – 40 will be utilized to report the time accrued performing the duties to which the employee was reassigned.
 2. The STEP supervisor will review performance standards that will be documented on a daily basis by the officers who are working STEP. These indicators will be as follows:
 - a. Date worked on the STEP program.
 - b. Total hours worked.
 - c. Total miles driven.
 - d. Total enforcement hours worked on-site.
 - e. Total Arrests.
 - f. Total DWIs.
 - g. Total speeding citations.
 - h. Total seatbelt citations.
 - i. Total other hazardous citations.
 - j. Total non-hazardous citations.
 - k. Total warnings.
 - l. Total traffic-related contacts.
 3. In that STEP is a volunteer traffic enforcement program with hours worked for overtime; employees are expected to meet minimum performance standards as established by the applicable operations plan.
 4. An officer's eligibility in the program may be withdrawn for:
 - a. Failure to meet established performance standards.
 - b. At the discretion of the Chief of Police.
 5. STEP performance standards will be reviewed monthly by the STEP Supervisor to ensure compliance with G.2 of this policy and any applicable grant requirements.

6. All Officers working STEP will comply with the operational plans of the program by:

A. Completely filling out the *STEP Speed Enforcement Program / Daily Report – Time Report Form*, PD – 192;

B. Focusing enforcement activities to program specified and selected locations; and

C. Attempting to meet program specified and established productivity goals

61.1.2 Procedures for taking enforcement action incidental to traffic law violations.

A. Physical Arrests - Officers will make a physical arrest, in compliance with the Texas Transportation Code in the following circumstances:

1. Violations of traffic laws pertaining to driving under the influence of alcohol or other intoxicants.
2. Whenever a felony has been committed involving a vehicle.
3. When the officer has reason to believe that the person will not appear in court as stipulated on the citation, and when the offense is one for which a custodial arrest may be made.
4. Whenever the operator refuses to sign the promise to appear on the traffic citation

B. Citations.

1. A Department citation should be issued to a violator who jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations or operating unsafe and improperly equipped vehicles.
2. The Department prohibits ticket quotas, but acknowledges that both qualitative and quantitative emphases are integral to the Department's traffic enforcement program.

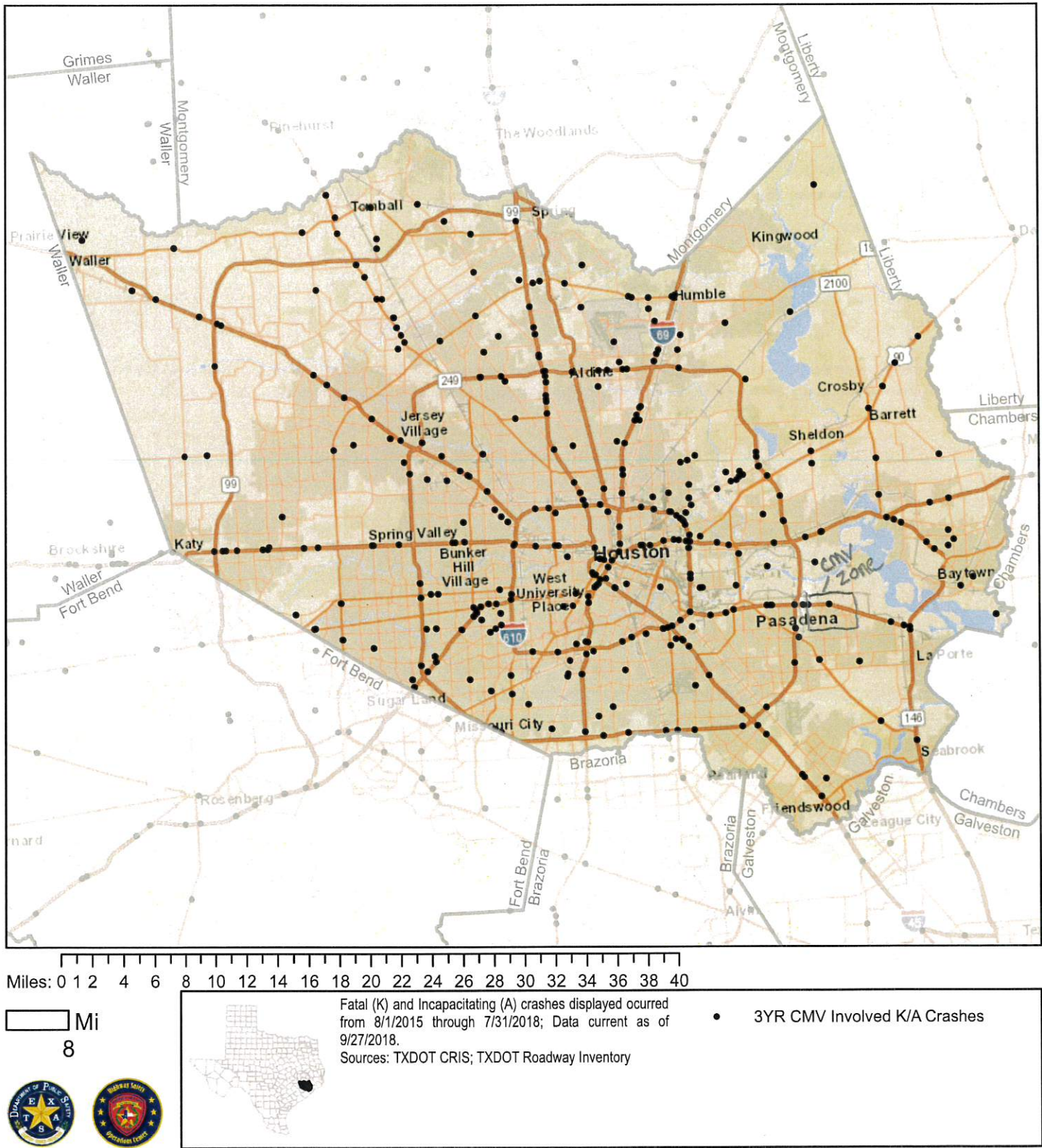
C. Warnings - Officers may issue warnings to a violator whenever a minor traffic infraction is committed in areas where traffic accidents are minimal, or when the act may be due to ignorance of a local ordinance that may be a unique violation or a violation of which the driver may not be aware. A properly administered warning can be more effective than any other type of enforcement.

61.1.3 Handling special categories of violators.

A. Non-residents - Officers shall consider use of warnings for non-residents who commit minor, non-moving, non-hazardous violations. If appropriate, given the type of violation, officers may issue non-residents a citation, provided the violator's home state is a reciprocal one. If non-residents are from a non-reciprocal state, they may be issued a citation or taken directly to a magistrate for the posting of a cash bond, if the circumstances of the infraction require such action.

B. Juveniles -Officers issuing a traffic citation to a juvenile offender (ages 10 through 16) should advise them that a parent or guardian must accompany them when they appear

Harris FY2020 STEP-CMV



Resolution No. _____

A RESOLUTION AUTHORIZING AND APPROVING A GRANT APPLICATION AND AGREEMENT BETWEEN THE CITY OF DEER PARK, TEXAS, AND THE STATE OF TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION IN THE AMOUNT OF FIFTEEN THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS AND SIXTY CENTS (\$15,148.60) TO CONDUCT A S.T.E.P. PROGRAM DIRECTED AT COMMERCIAL VEHICLE TRAFFIC ENFORCEMENT TO BE ADMINISTERED BY THE POLICE DEPARTMENT.

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

Section 1. That the Mayor is hereby authorized and directed to execute for and on behalf of the City a grant application and agreement pursuant thereto, a copy of which grant application is attached hereto and incorporated herein for all purposes as Exhibit "A", between the State of Texas Department of Highways and Public Transportation and the City of Deer Park to conduct a Commercial Vehicle STEP- Selective Traffic Enforcement Program to be administered by the Police Department. The program will be focused on reducing the number of accidents, injuries, and fatalities in Deer Park through the overtime enforcement of traffic statutes and public awareness efforts during the period of time from October 1, 2019, through September 30, 2020.

Section 2. That the State will contribute the amount of eleven thousand nine hundred forty-eight dollars and twenty cents (\$11,948.20) and the City's contribution shall be the amount of three thousand two hundred dollars and forty cents (\$3,200.40), for the total grant amount of fifteen thousand one hundred forty-eight dollars and sixty cents (\$15,148.60). The City's contribution shall be composed of the salaries attached to certain employees assigned to work the program.

Section 3. That the City Council officially determines that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a

place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further confirms such written notice and the contents and posting thereof.

PASSED, APPROVED, AND ADOPTED THIS THE ____ DAY OF _____ A.D., 2019.

MAYOR, CITY OF DEER PARK, TEXAS

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY



Legislation Details (With Text)

File #: DIS 19-004 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 1/2/2019 **In control:** City Council Workshop
On agenda: 1/8/2019 **Final action:**
Title: Discussion of issues relating to general conditions, extended days, project cost and an extended canopy for the Maxwell Adult Center.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council Workshop		

Discussion of issues relating to general conditions, extended days, project cost and an extended canopy for the Maxwell Adult Center.

The Maxwell Adult Center has two (2) items for discussion.

Item #1: General Condition Extended Days

Due to changes from different elements from the project, the Department is requesting funds to be used from the unencumbered balance for the Maxwell Project to be used to pay for the extended days.

Item #2: Maxwell Canopy Extension

This is to address concerns voiced by the seniors that "The awning on the exterior of the building does not cover the areas where the sidewalk is cut for wheelchairs and/or walkers. Therefore, patrons will still get wet if it is raining."

Item #1: General Conditions Extended Days

\$38,000.00 Cost for extended days

\$11,186.27 Contingency Funds

\$26,813.73 Unencumbered Funds

\$11,608.40 Remaining unencumbered funds for Maxwell Adult Center

Item #2: Maxwell Canopy Extension

\$33,800.00 Budget Amendment

(Amendment being requested in Regular Council Session on January 8, 2019)

Discussion Only



Legislation Details (With Text)

File #: DIS 19-001 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 1/2/2019 **In control:** City Council Workshop
On agenda: 1/8/2019 **Final action:**
Title: Discussion of issues relating to potential Charter Amendments.

Sponsors:

Indexes:

Code sections:

Attachments: [Charter Amendment Recommendations112618](#)

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council Workshop		

Discussion of issues relating to potential Charter Amendments.

Summary:

The City Charter was adopted on December 6, 1960. The last Charter Amendment Election was held on May 10, 2008, with only five amendments being approved by the citizens of Deer Park. In the Strategic Plan, Strategy #2 references the Charter Review and Election. Over the last several months, Staff has reviewed the current Charter and made recommendations for your review. The recommendations were previously discussed at the November 6, 2018 City Council Workshop. If the recommendations are agreed upon, an election would need to be called to conduct a Charter Amendment Election on May 4, 2019. The last day to call a special election on a measure, such as the Charter Amendments, is February 15, 2019. Therefore, in order to hold a special election this May, it would need to be called at the February 5, 2019 meeting or call a special meeting before February 15, 2019.

Fiscal/Budgetary Impact:

Discussion only

Charter Amendment Recommendations

City of Deer Park Proposition A	
Current Charter	
Section 6.10 Purchase Procedure	
<p>All purchases made and contracts executed by the city shall be pursuant to a requisition from the head of the office, department or agency whose appropriation will be charged, and no contract or order shall be binding upon the city unless and until the city manager certifies that there is to the credit of such office, department or agency a sufficient unencumbered appropriation and allotment balance to pay for the supplies, materials, equipment or contractual services for which the contract or order is to be issued . Before the city makes any purchase or contract for supplies, materials, equipment, or contractual services, opportunity shall be given for competition. The council may by ordinance confer upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not exceeding fifty thousand dollars (\$50,000 .00). All contracts for expenditures involving more than fifty thousand dollars (\$50,000 .00) must be expressly approved in advance by the council. All contracts or purchases involving more than fifty thousand dollars (\$50,000.00) shall be let to the lowest and best responsible bidder after there has been opportunity for competitive bidding as provided for by law or ordinance; provided that the council, or the city manager in such cases as he is authorized to contract for the city, shall have the right to reject any and all bids. Copies of all bids shall be delivered to each councilman immediately.</p>	
Proposed Amendment	
To follow State Statue on Purchase Procedure	
Section 6.10 Purchase Procedure	
<p>All purchases made and contracts executed by the city shall be pursuant to a requisition from the head of the office, department or agency whose appropriation will be charged, and no contract or order shall be binding upon the city unless and until the city manager certifies that there is to the credit of such office, department or agency a sufficient unencumbered appropriation and allotment balance to pay for the supplies, materials, equipment or contractual services for which the contract or order is to be issued. Before the city makes any purchase or contract for supplies, materials, equipment, or contractual services, opportunity shall be given for competition. The council may by ordinance confer upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not exceeding \$50,000.00. All contracts or purchases involving more than “state minimum dollar bidding limit” shall be let as per state statute for purchasing, contracting and competitive bidding, provided that the Council or the City Manager in such cases is authorized to contract for the City, shall have the right to reject any and all bids. Copies of the tabulation of all bids shall be delivered to each councilman .</p>	
City of Deer Park Proposition B	
Current Charter	

Section 5.14 Job Security; Arbitration Committee

Should an employee of the city be discharged from his employment therewith, such employee(s) shall have the right to appeal said action and to seek reinstatement in accordance with the following provisions, to wit:

Said employee shall, within fourteen (14) days after the date of discharge, file a written notice and request for reinstatement with the person performing the duties of city secretary. Such request-notice shall contain a statement requesting reinstatement to employment, the circumstances under which his discharge occurred and the reasons pertinent to, or the objections to such discharge becoming final.

- (a) Said request-notice shall be filed with the person performing the duties of city secretary within the time above allotted. It shall then become the duty of the city secretary to appraise the council, at the next meeting thereof and following the date upon which such request-notice is filed, that such request-notice was filed and whether or not same was filed in compliance with the a foregoing provision.
- (b) Provided the request-notice is found to be in compliance with the foregoing provisions, the council shall immediately order the formation of an arbitration committee for the purpose of settling the existing dispute. Such committee shall be comprised of three (3) resident qualified voters. Each of the three (3) members thereto shall serve without reward or compensation and no member of the council, or city employee, or relative thereof shall be eligible to serve upon such committee. The three (3) qualified citizens to comprise the arbitration committee shall be named and appointed in the following manner:
 - (1) Within seven (7) days of the date on which the council acts to form such requested committee, the aggrieved employee shall name one qualified member thereto.
 - (2) Within the same period of time allotted in (1) above, the council (as expressed in a majority vote thereof) shall name one qualified member thereto. Provided further that the council may appoint a subcommittee of its members for the purpose of naming the qualified person to said committee. The action of such council subcommittee shall be binding upon the council and shall constitute council appointment of the committee member thus named to service by the subcommittee.
 - (3) Within seven (7) days of the date upon which the second or latter member is appointed, as provided above, the two-(2) committee members shall name a disinterested person mutually acceptable to both. The committee thus formed shall be the arbitration committee and shall have all powers hereinafter set forth.
- (c) Should the two (2) members first appointed fail to name a third member to the committee in the time allotted, notice of such failure will be given to the council at the next meeting thereof. The council shall forthwith terminate the appointments of both members. Both

the council and the aggrieved employee shall then have the right to appoint second members to the committee in the same manner and in the same time specified above for the original appointments. Provided further that the two (2) original appointees shall be ineligible for reappointment to any such arbitration committee concerned with the same aggrieved employee.

An arbitration committee acting in its official capacity shall, within thirty (30) days of the date upon which the third member is named to service, render its majority decision. During said thirty (30) days, when acting as a committee, the members thereof shall have the power to inquire into any phase of the municipal function, which, in their opinions, might aid in the determination of the facts related to the case before them. The committee shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers and other evidence material to the inquiry.

Proposed Amendment

Appeal process will be covered in the **Employee Personnel Manual**

~~Section 5.14-e Job Security; Arbitration Committee~~

~~Should an employee of the city be discharged from his employment therewith, such employee(s) shall have the right to appeal said action and to seek reinstatement in accordance with the following provisions, to wit:~~

~~Said employee shall, within fourteen (14) days after the date of discharge, file a written notice and request for reinstatement with the person performing the duties of city secretary. Such request notice shall contain a statement requesting reinstatement to employment, the circumstances under which his discharge occurred and the reasons pertinent to, or the objections to such discharge becoming final.~~

~~(a) Said request notice shall be filed with the person performing the duties of city secretary within the time above allotted. It shall then become the duty of the city secretary to appraise the council, at the next meeting thereof and following the date upon which such request notice is filed, that such request notice was filed and whether or not same was filed in compliance with the foregoing provision.~~

~~(b) Provided the request notice is found to be in compliance with the foregoing provisions, the council shall immediately order the formation of an arbitration committee for the purpose of settling the existing dispute. Such committee shall be comprised of three (3) resident qualified voters. Each of the three (3) members thereto shall serve without reward or compensation and no member of the council, or city employee, or relative thereof shall be eligible to serve upon such committee. The three (3) qualified citizens to comprise the arbitration committee shall be named and appointed in the following manner:~~

~~(1) Within seven (7) days of the date on which the council acts to form such requested~~

~~committee, the aggrieved employee shall name one qualified member thereto.~~

~~(2) Within the same period of time allotted in (1) above, the council (as expressed in a majority vote thereof) shall name one qualified member thereto. Provided further that the council may appoint a subcommittee of its members for the purpose of naming the qualified person to said committee. The action of such council subcommittee shall be binding upon the council and shall constitute council appointment of the committee member thus named to service by the subcommittee.~~

~~(3) Within seven (7) days of the date upon which the second or latter member is appointed, as provided above, the two (2) committee members shall name a disinterested person mutually acceptable to both. The committee thus formed shall be the arbitration committee and shall have all powers hereinafter set forth.~~

~~(c) Should the two (2) members first appointed fail to name a third member to the committee in the time allotted, notice of such failure will be given to the council at the next meeting thereof. The council shall forthwith terminate the appointments of both members. Both the council and the aggrieved employee shall then have the right to appoint second members to the committee in the same manner and in the same time specified above for the original appointments. Provided further that the two (2) original appointees shall be ineligible for reappointment to any such arbitration committee concerned with the same aggrieved employee.~~

~~An arbitration committee acting in its official capacity shall, within thirty (30) days of the date upon which the third member is named to service, render its majority decision. During said thirty (30) days, when acting as a committee, the members thereof shall have the power to inquire into any phase of the municipal function, which, in their opinions, might aid in the determination of the facts related to the case before them. The committee shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers and other evidence material to the inquiry.~~

City of Deer Park Proposition C
Current Charter
Section 2.05 Powers of the City Council (C) (4)
May with just cause and not in conflict with the provisions of this Charter, remove from any office or position of employment in the city government, any officer or employee by a majority vote of the councilmembers qualified and serving.
Proposed Amendment
Amend Councils ability to remove an officer or employee other than as prescribed in this Charter for the City Manager, Municipal Judge and City Attorney.
Section 2.05 Powers of the city Council (c)(4)
May with just cause and not in conflict with the provisions of this Charter, remove the City Manager, Municipal Judge and City Attorney by a majority vote of the councilmembers qualified and serving.

City of Deer Park Proposition D

Current Charter

Section 5.12 (D) Director of Finance power and duties

Have custody of all public funds or moneys received by any person, department, or agency of the city for or in connection with affairs of the city and shall deposit same daily in the city depository or depositories, which shall be designated by the council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All checks, vouchers, or warrants for the withdrawal of money from the city depositories shall be signed by the mayor, the director of finance or his deputy and by the city manager. In the event the city manager is the director of finance, all checks signed by him shall be countersigned by the person performing the duties of city secretary, provided that the council, under such regulations and limitations as it may prescribe, may by ordinance authorize the use of machine imprinted facsimile signatures of said director of finance and city manager and/or city secretary on such checks, vouchers or warrants not in excess of five thousand dollars (\$5,000.00). The mayor shall sign all checks, vouchers or warrants manually, other than checks, vouchers or warrants less than one thousand dollars (\$1,000.00) or payroll checks, which may be imprinted with the mayor's facsimile signature.

Proposed Amendment

To give signatory rights or powers to the Assistant City Manager and Mayor Pro-Tem

Section 5.12 (D) Director of Finance power and duties

Have custody of all public funds or moneys received by any person, department, or agency of the city for or in connection with affairs of the city and shall deposit same daily in the city depository or depositories, which shall be designated by the council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All checks, vouchers, or warrants for the withdrawal of money from the city depositories shall be signed by the mayor, the director of finance or his ~~deputy designee~~, and by the city manager or assistant city manager. In the event the city manager is the director of finance, all checks signed by him shall be countersigned by the assistant city manager or the person performing the duties of city secretary, provided that the council, under such regulations and limitations as it may prescribe, may by ordinance authorize the use of machine imprinted facsimile signatures of said director of finance, ~~and~~ city manager, or assistant city manager, and/or city secretary on such checks, vouchers or warrants not in excess of \$5,000.00. The mayor shall manually sign all checks, vouchers or warrants ~~manually, other than checks, vouchers or warrants less than~~ of \$1,000.00 or more. Checks, vouchers, or warrants or less than \$1,000.00 or and payroll checks, ~~which~~ may be imprinted with the mayor's facsimile signature. In the absence of the mayor, the mayor pro-tem shall sign all checks, vouchers or warrants requiring the manual signature of the mayor.

City of Deer Park Proposition E

Current Charter

Section 5.07 Police Department (A)(1)(2)

There shall be established and maintained a department of police to preserve order within the city and to secure the residents of said city from violence and the property therein from injury or loss.

(A) *Chief of police.* The chief of police shall be the chief administrative officer of the department of Police.

- (1) He shall be a man of at least thirty (30) years of age, with a minimum of five (5) year's prior experience in the field of law enforcement, possessed of good moral character and shall have never been convicted of a felony or any crime involving moral turpitude in this or any other state or country.
- (2) He shall, with the approval of the city manager, appoint and remove the employees of said department and shall perform such duties as may be required of him by legislation of the council.

Proposed Amendment

Amend language related to the Police Department

Section 5.07 Police Department (A)(1)(2)

There shall be established and maintained a department of police to preserve order within the city and to secure the residents of said city from violence and the property therein from injury or loss.

(A) *Chief of police.* The chief of police shall be the chief administrative officer of the department of Police.

- (3) He Shall be ~~a man of~~ at least thirty (30) years of age, with a minimum of five (5) year's prior experience in the field of law enforcement, possessed of good moral character and shall have never been convicted of a felony or any crime involving moral turpitude in this or any other state or country.
- (4) He shall, with the approval of the city manager, appoint ~~and remove~~ the employees of said department and shall perform such duties as may be required of him by legislation of the council.

City of Deer Park Proposition F

Current Charter
Section 8.03 Development of property
<p>No expenditure of public funds shall be authorized by the council for the development of privately owned property within the corporate limits of the city, except for the extension of water and sewer to such areas, and then only if it can be shown to the satisfaction of the council that the taxes from the assessed valuation of said property will, within a reasonable time after it is made, pay for said extension or extensions.</p>
Proposed Amendment
Section 8.03 Development of property
<p>No expenditure of public funds shall be authorized by the council for the development of privately owned property within the corporate limits of the city, except <u>for public infrastructure improvements, which may include</u>, the extension of water and sewer to such areas, and then only if it can be shown to the satisfaction of the council that the taxes from the assessed valuation of said property will, within a reasonable time after it is made, pay for said extension or extensions <u>improvements</u>.</p>

Current Charter
Section 2.06. Procedure to enact legislation (e)
The requirements for reading ordinances on three (3) several days may be dispensed with where an ordinance relating to the immediate preservation of the public peace, health, safety or welfare is adopted and contains a statement of the nature of the emergency
Proposed Amendment
The requirement for reading ordinances on three (3) three several days is eliminated.
Section 2.06. Procedure to enact legislation (e)