

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

James Stokes, City Manager
Gary Jackson, Assistant City Manager



Jerry Mouton Jr. , Mayor

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

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

Ordinance #4068

Resolution #2019-06

CALL TO ORDER

The 1731st meeting of the Deer Park City Council.

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Proclamation for National Public Safety Telecommunicator Week 2019.

[PRO 19-005](#)

Attachments: [resolution](#)
[proclamation](#)

2. Proclamation for National Safe Digging Month.

[PRO 19-003](#)

Attachments: [National Safe Digging Month](#)

CONSENT CALENDAR

3. Approval of minutes of regular meeting on April 2, 2019.

[MIN 19-059](#)

Recommended Action: Approval

Attachments: [CC MR 040219](#)

4. Authorization to seek bids for a one (1) year supply of gasoline and diesel fuel to be used for all City of Deer Park vehicles and equipment.

[AUT 19-018](#)

Recommended Action: Authorization to advertise for bids for a one (1) year supply of gasoline and diesel fuel.

Department: Finance

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.

5. Authorization to advertise and receive bids for a one (1) year supply of Sodium Hexametaphosphate with the option to renew for one additional year for the Water Treatment Plant.

[AUT 19-019](#)

Recommended Action: Authorize the advertisement and acceptance of bids for a one (1) year supply of Sodium Hexametaphosphate for the Water Treatment Plant.

Department: Finance

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

6. Consideration of and action on a resolution suspending the May 10, 2019 effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the City time to study the request and to establish reasonable rates.

[RES 19-137](#)

Recommended Action: Approval is recommended.

Department: City Manager's Office

Attachments: [CNP Resolution for OJ GCCC Members 2019](#)

[CNP Model Staff Report - OJ GCCC Members 2019](#)

7. Consideration of and action on an ordinance appointing a member to the Parks and Recreation Commission.

[ORD 19-036](#)

Recommended Action: Appoint Clyde Coxie to the Parks and Recreation Commission.

Attachments: [Appoint 1 Member to Parks Recreation Commission-Term ending May 2019](#)

8. Consideration of and action on an ordinance amending the Code of Ordinances Section 66-183, designated truck route.

[ORD 19-037](#)

Recommended Action: Approve the ordinance amending ordinance 66-183, designated truck route.

Department: Chief of Police Grigg and Police

Attachments: [Amend 66-183-Schedule L-Truck Route-Locations-Restrictions-03-2019](#)

9. Consideration of and action on an ordinance related to the permitting of food trucks.

[ORD 19-038](#)

Recommended Action: Approval is recommended.

Department: City Manager's Office

Attachments: [Mobile Food Service Units-02-2019 \(002\)](#)

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.

ADJOURN

*Shannon Bennett, TRMC
City Secretary*

*Posted on Bulletin Board
April 12, 2019*

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

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



Legislation Details (With Text)

File #: PRO 19-005 **Version:** 1 **Name:**
Type: Proclamation **Status:** Agenda Ready
File created: 4/11/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Proclamation for National Public Safety Telecommunicator Week 2019.
Sponsors:
Indexes:
Code sections:
Attachments: [resolution](#)
[proclamation](#)

Date	Ver.	Action By	Action	Result
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Proclamation for National Public Safety Telecommunicator Week 2019.

Summary:

The second full week in April is designated National Public Safety Telecommunicator Week by Congress to recognize the behind the scenes telecommunicators, otherwise known as dispatchers. Congressional representatives continue to honor the profession today with bipartisan support for grassroots initiative 911 SAVES (Supporting Accurate Views of Emergency Services). This initiative aims to recognize 9-1-1 professionals for the lifesaving work they perform by reclassifying them from administrative personnel to protective services at the federal level.

Telecommunicators are recognized as the, “first, first responders,” by industry professionals. Telecommunicators may positively affect the outcome of an emergency by being the first emergency service provider to manage the incident remotely, if not in person.

Ten Telecommunicators, 2 Telecommunicators in training and 1 Communications Supervisor staff the Deer Park Police Department’s Communications Unit. Training requires each candidate to demonstrate superior multi-tasking abilities, quickly acquire dispatch specific skill sets, problem solve during potential life and death situations and learn enough about law enforcement, firefighting and medical services to efficiently and accurately dispatch each discipline.

Telecommunicators are responsible for many duties including, but not limited to:

- High level, public safety specific, processing of non-emergency and 9-1-1 phone calls
- Using next generation 9-1-1 technology to determine emergency locations when the caller is uncertain of, or unable to, communicate their whereabouts
- Radio dispatching of police, fire, EMS and after hour city services
- Launching emergency alerts via the siren system, school alert system and CodeRED phone

calls for tornados and chemical releases

- Delivering pre-arrival medical and safety instructions to callers
- Providing for the safety of police officers, firefighters and paramedics by assessing scene conditions and providing hazard information in advance of arrival
- Providing alerts, monitoring unit status, checking on welfare, sending back up
- Assisting fire command with recognizing mayday calls and personnel accountability reports, staging units, obtaining and reviewing hazardous material information
- Supporting emergency operation center functions during critical incidents
- Simultaneously performing all above duties as needed for the successful resolution of life threatening emergencies and/or high call volume periods.

Studies have shown that telecommunicators are exposed to the same stressors as other public safety disciplines and experience disorders and ailments at similar rates. Feeling helpless, afraid, fatigued or traumatized by calls involving responder or child injury or suicidal callers is common. Work schedules require a long time assignment to night and evening shifts, overtime, working almost all weekends and most holidays. The position is inherently complex and overtly technical. Communications centers contend with staffing shortages nationwide due to a lack of qualified applicants, intense training programs and challenging workloads. This is compounded in smaller centers who must use less personnel to accomplish more tasks, rather than focusing on being “just” a call taker or “just” a radio dispatcher. Hazards unique to each jurisdiction such as the petrochemical refining district or hurricane threats are also added complications for each center.

When almost every call stems from a negative experience, each telecommunicator has the opportunity to make a difference and improve the quality of life of our citizens every time they answer the phone by being professionals. They take great pride in being the one who watches over the responders and dedicate themselves selflessly during significant incidents. They are able to make a significant impact or save a life by being critical personnel involved in the resolution of an emergency. These actions occur largely, and often literally, in the dark and behind the scenes because they turn the lights down in the center to compensate for the computer monitors and never set foot on scene.

We respectfully request that the Council Members of the City of Deer Park accept this resolution recognizing April 14-20, 2019, as National Public Safety Telecommunicators week, in honor of the services performed by the men and women the Deer Park Police Department’s Communication Unit.

Fiscal/Budgetary Impact:



RESOLUTION

Public Safety

Telecommunicator Week

- WHEREAS,** over 1,200 telecommunicators and dispatchers daily serve the residents of Harris and Fort Bend Counties by answering their calls for police, fire or emergency medical services, and by dispatching the appropriate assistance as quickly as possible; and
- WHEREAS,** public safety telecommunicators are the vital link between citizens and the emergency service they are in need of, whether it be police, fire, or emergency medical assistance; and
- WHEREAS,** telecommunicators are professionals whose multi-tasking, behind-the-scenes and often unrecognized actions are responsible for helping protect people and property; and
- WHEREAS,** professional telecommunicators work to improve the technology and operational capabilities through their leadership and participation in training programs to improve their skills and prepare for 9-1-1 calls from different devices; and
- WHEREAS,** the Greater Harris County 9-1-1 Emergency Network wishes to join with the State of Texas, and the Senate and the House of Representatives of the United States of America and other 9-1-1 Entities across the Country in setting aside the second week in April to recognize Telecommunicators for their crucial role they play in protection of life and property.

NOW, THEREFORE, BE IT RESOLVED, by The Greater Harris County 9-1-1 Emergency Network, this 27th day of February, 2019 that **NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK** be designated the week of April 14 - 20, 2019 in honor and recognition of our community's 9-1-1 professional telecommunicators for the vital contribution that they make to the safety and well-being of those in need of emergency services.

Russell S. Rau, Chairman

William B. Anders, Secretary

Dennis Storemski, Member

Gary Johnson, Member

Vergil Rathff, Member

Shawn Thompson, Member





Office of the Mayor

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

WHEREAS, over 1,200 telecommunicators and dispatchers daily serve the residents of Harris and Fort Bend Counties by answering their calls for police, fire, or emergency medical services, and by dispatching the appropriate assistance as quickly as possible; and

WHEREAS, public safety telecommunicators are the vital link between citizens and the emergency service they are in need of, whether it be police, fire, or emergency medical assistance; and

WHEREAS, telecommunicators are professionals whose multi-tasking, behind-the-scenes and often unrecognized actions are responsible for helping protect people and property; and

WHEREAS, professional telecommunicators work to improve the technology and operational capabilities through their leadership and participation in training programs to improve their skills and prepare for 9-1-1 calls from different devices; and

WHEREAS, the Greater Harris County 9-1-1 Emergency Network wishes to join with the State of Texas, and the Senate and the House of Representatives of the United States of America and other 9-1-1 Entities across the Country in setting aside the second week in April to recognize Telecommunicators for their crucial role they play in protection of life and property; and

WHEREAS, in order to recognize the efforts of the Deer Park Police Department Communications Unit, Chief Gregory L. Grigg on behalf of the Deer Park Police Department, has requested that the Mayor issue a proclamation in observance of this occasion.

NOW, THEREFORE, I, MAYOR JERRY MOUTON, City of Deer Park, Texas, by virtue of the authority vested in me by the Constitution and laws of the City of deer Park, Texas do hereby proclaim the week of April 14-20, 2019 as

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

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 7th day of April, Two Thousand and Nineteen, A.D.

Jerry Mouton, Mayor
City of Deer Park, Texas



Legislation Details (With Text)

File #: PRO 19-003 **Version:** 1 **Name:**
Type: Proclamation **Status:** Agenda Ready
File created: 4/3/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Proclamation for National Safe Digging Month.
Sponsors:
Indexes:
Code sections:
Attachments: [National Safe Digging Month](#)

Date	Ver.	Action By	Action	Result
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Proclamation for National Safe Digging Month.

Summary:

Present the attached Proclamation to CenterPoint for National Safe Digging Month. Gary Mills from CenterPoint will be present to accept the Proclamation

Fiscal/Budgetary Impact:

N/A



Office of the Mayor

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

WHEREAS, each year, the nation's underground utility infrastructure is jeopardized by unintentional damage by those who fail to call 811 to have underground lines located prior to digging. Undesired consequences such as service interruption, damage to the environment and personal injury and even death are the potential results; and

WHEREAS, the Common Ground Alliance and its 1700 members promote the national Call-Before-You-Dig number, 811, in an effort to reduce these damages. Designated by the FCC in 2005, 811 provides potential excavators and homeowners a simple number to reach their local One Call Center to request utility line locations at the intended dig site; and

WHEREAS, through education of safe digging practices, excavators and homeowners can save time and money keeping our nation safe and connected by making a simple call to 811 in advance of any digging project; waiting the required amount of time; respecting the marked lines by maintaining visual definition throughout the course of the excavation; and finally, digging with care around the marks; and

WHEREAS, all parties agree that safe digging is a shared responsibility. To know what's below, call 811 before you dig.

WHEREAS, NOW, THEREFORE, I, Mayor Jerry Mouton, City of Deer Park, along with City Council, do hereby proclaim April, 2017 as:

NATIONAL SAFE DIGGING MONTH

In the City of Deer Park, Texas, and encourage excavators and homeowners throughout the country to always call 811 before digging. Safe digging is no accident.

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 eighteenth day of April, Two Thousand and Seventeen, A.D.

**Jerry Mouton, Mayor
City of Deer Park, Texas**



Legislation Details (With Text)

File #: MIN 19-059 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 4/9/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Approval of minutes of regular meeting on April 2, 2019.
Sponsors:
Indexes:
Code sections:
Attachments: [CC_MR_040219](#)

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Approval of minutes of regular meeting on April 2, 2019.

Summary:

Fiscal/Budgetary Impact:

None

Approval

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1730TH 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 APRIL 2, 2019, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

MAYOR
COUNCILWOMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILWOMAN

OTHER CITY OFFICIALS PRESENT:

JAY STOKES
GARY JACKSON
SHANNON BENNETT
JIM FOX

CITY MANAGER
ASSISTANT CITY MANAGER
CITY SECRETARY
CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the meeting to order at 7:30 p.m.
2. INVOCATION – The invocation was given by Councilwoman Sinor.
3. PLEDGE OF ALLEGIANCE – Councilman Harrison led the Pledge of Allegiance to the United States Flag and led the Texas Flag Pledge.
4. PROCLAMATION FOR NATIONAL LIBRARY WEEK 2019 – Mayor Mouton presented a proclamation to Library Director Rebecca Pool in recognition of National Library Week 2019 and declared April 7th - 13th as National Library Week.
5. PRESENTATION - RECOGNITION OF NATIONAL VOLUNTEER APPRECIATION WEEK, APRIL 7-13, 2019 – Police Chief Greg Grigg recognized the volunteers and gave a summary of activities the volunteers are involved in and spoke of the different ways the volunteers help the Police Department stay in touch with the Community.
6. PUBLIC HEARING FROM THE REQUEST OF MOLTO PROPERTIES FOR A VOLUNTARY ANNEXATION OF FOUR TRACTS OF LAND TOTALING 49.0146 ACRES AND 83 SQUARE FEET IN THE CITY'S ETJ LOCATED ALONG THE WEST SIDE OF INDEPENDENCE PKWY AND NORTH OF STATE HIGHWAY 225 INTO THE DEER PARK CITY LIMITS – The public hearing was opened by the City Secretary by reading the Notice of Public Hearing. (Exhibit A)

Mayor Mouton called for those persons desiring to speak in favor of the request.

- a. Chad Parrish of Molto Properties commented, "I am just here to speak in support of the project. We have been thinking about you and the community and you have all been in our thoughts and prayers. We hope for the best outcome possible after the ITC event. Secondly, we are very excited to hopefully become a part of Deer Park. We intend to move forward with our plans. I am here to answer any questions that you may have about our project."

Mayor Mouton called for those persons desiring to speak against the request. No one spoke.

Mayor Mouton closed the public hearing.

7. AUTHORIZATION TO AWARD BID TO ECOLOGICAL RESTORATION SERVICES LLC (ERS) FOR THE DEER PARK WETLANDS TALLOW MITIGATION PROJECT – Motion was made by Councilwoman Garrison and seconded by Councilwoman Sinor to award the bid to Ecological Restoration Services LLC (ERS) for the Deer Park Wetlands Tallow Mitigation Project. Motion carried 7 to 0.
8. 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 March 19, 2019.
 - b. Approval of minutes of regular meeting on March 19, 2019.
 - c. Approval of minutes of emergency meeting on March 19, 2019.
 - d. Authorization to advertise and receive bids on the 2019 Lane Striping Project.
 - e. Acceptance and release of retainage for the Emergency 8" Sanitary Sewer Repair on Center Street.Motion carried 7 to 0.
9. COMMENTS FROM AUDIENCE –
 - a. Dean Ferriegel, Representative of the Strawberry Festival invite Council to the Pasadena Strawberry Festival on May 17-19, 2019 at the Pasadena Fairgrounds and highlighted the schedule of events.
10. CONSIDERATION OF AND ACTION ON THE AUTHORIZATION TO PURCHASE FROM FUQUAY, INC., THROUGH THE BUYBOARD COOPERATIVE PURCHASING PROGRAM TO PERFORM A SANITARY SEWER LINING OF THE 18" FORCE MAIN PHASE 2 – Motion was made by Councilman Martin and seconded by Councilwoman Sinor to authorize the purchase from Fuquay, Inc. through the Buy Board Cooperative Purchasing

Program to perform a sanitary sewer lining of the 18" force main Phase 2. Motion carried 7 to 0.

11. CONSIDERATION OF AND ACTION ON AN ASSIGNMENT OF CONTRACT OF SALE OF REAL PROPERTY - Motion was made by Councilwoman Garrison and seconded by Councilman Harrison to approve the assignment of contract of Sale of Real Property. Motion carried 7 to 0.
12. CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE PROVIDER CONTRACT FOR HURRICANE HARVEY DR #4332 FOR FEMA PUBLIC ASSISTANCE GRANT MANAGEMENT SERVICES - Motion was made by Councilman Ginn and seconded by Councilwoman Sinor to approve Resolution No. 2019-05 captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE PROVIDER CONTRACT FOR HURRICANE HARVEY DR #4332 FEMA PUBLIC ASSISTANCE GRANT MANAGEMENT SERVICES.

Motion carried 7 to 0.

13. CONSIDERATION OF AND ACTION ON AN ORDINANCE RATIFYING THE CITY MANAGER'S IMPLEMENTATION OF THE EMERGENCY PAY PERIOD IN RESPONSE TO THE FIRE AT INTERCONTINENTAL TERMINALS COMPANY (ITC) - After a proposed ordinance was read by caption, motion was made by Councilwoman Sinor and seconded by Councilman Patterson to adopt on first and final reading Ordinance No. 4067, captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, RATIFYING THE CITY MANAGER'S IMPLEMENTATION OF THE CITY OF DEER PARK'S EMERGENCY PAY POLICY IN RESPONSE TO THE FIRE AT INTERCONTINENTAL TERMINALS COMPANY (ITC) BEGINNING ON MARCH 17, 2019 AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

14. ADJOURN - Mayor Mouton adjourned the meeting at 7:47 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton, Jr.
Mayor



Legislation Details (With Text)

File #: AUT 19-018 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 3/6/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Authorization to seek bids for a one (1) year supply of gasoline and diesel fuel to be used for all City of Deer Park vehicles and equipment.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Authorization to seek bids for a one (1) year supply of gasoline and diesel fuel to be used for all City of Deer Park vehicles and equipment.

Summary:

The current fuel vendor is Lykins Energy Solutions. The current contract expires on June 30, 2019.

Fuel bids are based on plus or minus the oil price index sheets (OPIS) as supplies to fuel distributors. The fuel price is not constant and will change depending on the price of fuel on the particular day the order is placed. Fuel is purchased for the Luella Complex and X-Street locations.

Fiscal/Budgetary Impact:

Fuel is budgeted in various departmental budgets, as necessary, with gasoline and diesel fuel budgeted as separate line items (expenditure accounts 4328 and 4329, respectively).

Authorization to advertise for bids for a one (1) year supply of gasoline and diesel fuel.



Legislation Details (With Text)

File #: AUT 19-019 **Version:** 1 **Name:**
Type: Authorization **Status:** Agenda Ready
File created: 3/6/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Authorization to advertise and receive bids for a one (1) year supply of Sodium Hexametaphosphate with the option to renew for one additional year for the Water Treatment Plant.
Sponsors: Finance
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Authorization to advertise and receive bids for a one (1) year supply of Sodium Hexametaphosphate with the option to renew for one additional year for the Water Treatment Plant.

Summary:

Sodium Hexametaphosphate is a chemical used at the Water Treatment Plant. The current contract expires on June 30, 2019.

Current Vendor: Chemrite, Inc.

50,000 units @ \$0.871 / pound

Fiscal/Budgetary Impact:

These chemicals are budgeted in the Water/Sewer Fund - Water Treatment Plant (Account No. 400-506-4316 - Chemicals).

Authorize the advertisement and acceptance of bids for a one (1) year supply of Sodium Hexametaphosphate for the Water Treatment Plant.



Legislation Details (With Text)

File #: RES 19-137 **Version:** 1 **Name:**

Type: Resolution **Status:** Agenda Ready

File created: 4/9/2019 **In control:** City Council

On agenda: 4/16/2019 **Final action:**

Title: Consideration of and action on a resolution suspending the May 10, 2019 effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the City time to study the request and to establish reasonable rates.

Sponsors: City Manager's Office

Indexes:

Code sections:

Attachments: [CNP Resolution for OJ GCCC Members 2019](#)
[CNP Model Staff Report - OJ GCCC Members 2019](#)

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Consideration of and action on a resolution suspending the May 10, 2019 effective date of CenterPoint Energy Houston Electric, LLC's requested rate change to permit the City time to study the request and to establish reasonable rates.

Summary:

CenterPoint Energy Resources recently filed a rate application with the Texas Public Utility Commission seeking to increase its base electric rates by \$161 million per year (\$154 million for distribution and \$6.8 million for transmission). If approved, this would result in a 7.4% increase in wire charges to distribution customers, and a 1.8% increase for transmission service customers. The average residential customer's bill would increase \$2.38 per month.

The City of Deer Park participates in the Gulf Coast Coalition of Cities (GCCC), a consortium which monitors such rate increases. GCCC attorneys recommend all member cities adopt the attached Resolution which suspends the effective date of the rate increase by 90 days. This allows all member cities to review CenterPoint's rate-filing package and determine the best course of action to achieve reasonable rates. Attached to this item are the aforementioned Resolution, as well as additional information prepared by GCCC including a staff report and a rate impact analysis.

Fiscal/Budgetary Impact:

To be determined

Approval is recommended.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY OF _____
SUSPENDING THE MAY 10, 2019 EFFECTIVE DATE OF
CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S
REQUESTED RATE CHANGE TO PERMIT THE CITY
TIME TO STUDY THE REQUEST AND TO ESTABLISH
REASONABLE RATES; APPROVING CONTINUED
COOPERATION WITH THE GULF COAST COALITION
OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS
AND CONSULTING SERVICES TO NEGOTIATE WITH
THE COMPANY AND DIRECT ANY NECESSARY
LITIGATION AND APPEALS; REQUIRING
REIMBURSEMENT OF CITIES' RATE CASE EXPENSES;
FINDING THAT THE MEETING AT WHICH THIS
RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS
REQUIRED BY LAW; REQUIRING NOTICE OF THIS
RESOLUTION TO THE COMPANY AND LEGAL
COUNSEL**

WHEREAS, on or about April 5, 2019, CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "Company"), pursuant to PURA §§ 33.001 and 36.001 filed with the City of _____ ("City") a Statement of Intent to change electric delivery rates in all municipalities exercising original jurisdiction within its service area, effective May 10, 2019; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities ("GCCC") and will cooperate with the other similarly situated city members and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, GCCC's member cities have previously authorized intervention in electric utility rate case proceedings before the Public Utility Commission of Texas; and

WHEREAS, GCCC has previously authorized the hiring of Thomas Brocato and Chris Brewster of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission; and

WHEREAS, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

WHEREAS, PURA § 33.023 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF _____, TEXAS:

1. That the May 10, 2019, effective date of the rate request submitted by CenterPoint on or about April 5, 2019, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

2. That the City is authorized to cooperate with GCCC to coordinate efforts to protect the interests of the City and protect the interests of CenterPoint's end-use customers residing and conducting business within municipal limits.

3. That the City's reasonable rate case expenses shall be reimbursed by CenterPoint on a timely basis.

4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

5. A copy of this Resolution shall be sent to CenterPoint, care of Patrick Peters, CenterPoint Energy, Inc., 1005 Congress Avenue, Suite 650, Austin, Texas 78701 (patrick.peters@centerpointenergy.com), and to Chris Brewster at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (cbrewster@lglawfirm.com).

PASSED AND APPROVED this _____ day of _____, 2019.

MAYOR

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

MODEL STAFF REPORT

*****ACTION MUST BE TAKEN TO SUSPEND THE EFFECTIVE DATE
BEFORE MAY 10, 2019*****

PURPOSE:

CenterPoint Energy Houston Electric, LLC (“CenterPoint” or “Company”) filed an application on April 5, 2019 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by \$161 million per year. The Company asks the City to approve an increase in \$154 million in retail transmission and distribution rates (an increase of about 7.4%) and \$6.8 million in wholesale transmission rates (an increase of about 1.8%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$2.38 per month.

The resolution suspends the May 10, 2019 effective date of the Company’s rate increase for the maximum period permitted by law to allow the City, working in conjunction with other members of GCCC served by CenterPoint to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, CenterPoint’s rate request is deemed approved.**

DISCUSSION

The City of _____ is a member of a coalition of political subdivisions in the Greater Houston area known as the Gulf Coast Coalition of Cities (“GCCC”). The Coalition has been in existence since the early 1990s. The GCCC represents the interests of its members on gas and electric utility matters before the Public Utility Commission, the Railroad Commission, the Electric Reliability Council of Texas and the courts. For the past 20 years, GCCC has protected the authority of municipalities over monopoly electric and natural gas providers and has defended the interests of the residential and small commercial customers within the cities. Cities are often the only consumer advocates that work to keep utility rates reasonable. The work undertaken by GCCC has saved ratepayers millions of dollars in unreasonable charges. The GCCC has previously approved the hiring of Thomas Brocato and Chris Brewster of the Lloyd Gosselink law firm and consultants to intervene in matters related to the electric utility rate case filings, representing GCCC members’ interests.

Current members include the following 39 cities: Alvin, Brazos Country, Brookshire, Bunker Hill Village, Clear Lake Shores, Deer Park, Dickinson, Friendswood, Fulshear, Galveston, Hedwig Village, Hilshire Village, Hunters Creek, Iowa Colony, Jersey Village, Kemah, Lake Jackson, La Marque, Manvel, Missouri City, Mont Belvieu, Morgan’s Point,

Nassau Bay, Oyster Creek, Piney Point Village, Pleak, Rosenberg, Santa Fe, Seabrook, Sealy, Simonton, South Houston, Spring Valley Village, Sugar Land, Taylor Lake Village, Texas City, Tiki Island, Webster, and Weston Lakes.

Explanation of “Be It Resolved” Paragraphs:

Section 1. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as “the maximum period allowed by law” rather than ending by a specific date. This is because the Company controls the effective date and can extend the deadline for final city action to increase the time that the City retains jurisdiction if necessary to reach settlement on the case. If the suspension period is not otherwise extended by the Company, the City must take final action on CenterPoint’s request to raise rates by May 10, 2019.

Section 2. This provision authorizes the City to participate in a coalition of cities served by CenterPoint, GCCC, in order to more efficiently represent the interests of the City and their citizens.

Section 3. The Company will reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by the GCCC cities will submit monthly invoices that will be forwarded to CenterPoint for reimbursement. No individual city incurs liability for payment of rate case expenses by adopting a suspension resolution.

Section 4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

Section 5. This section provides that both CenterPoint’s counsel and counsel for the cities will be notified of the City’s action by sending a copy of the approved and signed resolution to certain designated individuals.



Legislation Details (With Text)

File #: ORD 19-036 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 4/9/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Consideration of and action on an ordinance appointing a member to the Parks and Recreation Commission.

Sponsors:

Indexes:

Code sections:

Attachments: [Appoint 1 Member to Parks Recreation Commission-Term ending May 2019](#)

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Consideration of and action on an ordinance appointing a member to the Parks and Recreation Commission.

Summary:

The Boards and Commission Selection Committee met on April 2, 2019 to review the applications submitted for the Parks and Recreation Commission. Their recommendation is to appoint Clyde Coxie to fill the remainder of TJ Haight's term ending May 31, 2019.

Fiscal/Budgetary Impact:

Appoint Clyde Coxie to the Parks and Recreation Commission.

ORDINANCE NO. _____

AN ORDINANCE APPOINTING ONE MEMBER OF THE PARKS & RECREATION COMMISSION OF THE CITY OF DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.

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

1. That **Clyde Coxie**, be and he is hereby appointed as a member of the Parks & Recreation Commission of the City of Deer Park, to serve for a term ending May 31, 2019.

2. 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.

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

4. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, health, safety and welfare, in that it is necessary that members of the Recreation Commission be appointed immediately so that the recreation program 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 _____, 2019 **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 19-037 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 4/9/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Consideration of and action on an ordinance amending the Code of Ordinances Section 66-183, designated truck route.
Sponsors: Greg Grigg, Police
Indexes:
Code sections:
Attachments: [Amend 66-183-Schedule L-Truck Route-Locations-Restrictions-03-2019](#)

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Consideration of and action on an ordinance amending the Code of Ordinances Section 66-183, designated truck route.

Summary:

The change requested with this Ordinance involves changing where trucks are prohibited from driving to stating where the exact truck route is located. There is also additional language requiring shortest routes to vendors within the city limits. See attachment for Ordinance.

Fiscal/Budgetary Impact:

No fiscal impact

Approve the ordinance amending ordinance 66-183, designated truck route.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 66-183 SCHEDULE L, 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.

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

1. The City Council of the City of Deer Park, Texas hereby finds again and now as set forth in Section 66-176 of the Code of Ordinances of said City, adopted September 15, 2015.

2. (a) That Section 66-183, Schedule L, of the Code of Ordinances of the City of Deer Park, be amended by designating truck routes for the locations for official traffic control devices bearing the words “TRUCK ROUTE”, APPLICABLE to the portion of the streets named below:

Street	Between
Highway 225 frontage roads	East and West City limits
Battleground Road	Highway 225 and Underwood

(b) The term “truck”, as used in this Section, is hereby defined as being any vehicle, self-propelled or otherwise, of more than three-fourths-ton capacity, primarily designed for carrying or transporting goods, wares or merchandise.

(c) No person shall operate a “truck” as defined in Section (b) upon any roads, avenues, streets or thoroughfares within the corporate limits of the City except those which are designated as truck routes in Section 66-183, Schedule L of this Code.

(d) Any truck route originating within the corporate limits of the City shall proceed to the nearest point on the designated truck route by the most direct route possible. If such truck shall originate outside the corporate limits of the City and enter the City at a point which is not on a designated

truck route, the truck shall proceed to the nearest point on the designated truck route by the most direct route possible.

(e) Trucks may depart truck routes when it is necessary to load or unload cargo, provide services, or seek repairs for the truck at a location off the designated truck route, provided however the truck takes the most direct route possible and then returns to the designated truck route taking the most direct route possible.

3. This Ordinance applies only to offenses committed on or after its effective date, and an action for an offense committed before this Ordinance's effective date is governed by the Ordinance existing before the effective date, which Ordinance is to be continued in effect for this purpose as if this Ordinance were not in force.

4. 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.

5. 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.

6. 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 orderly regulate and guide traffic movement for the protection of persons and property, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three (3) several days should be dispensed with, and this Ordinance should be passed finally on its introduction, and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, **passed, approved and adopted** on this the ____ day of _____, 2019 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

Mayor, City of Deer Park

ATTEST:

City Secretary

APPROVED:

City Attorney



Legislation Details (With Text)

File #: ORD 19-038 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 4/9/2019 **In control:** City Council
On agenda: 4/16/2019 **Final action:**
Title: Consideration of and action on an ordinance related to the permitting of food trucks.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments: [Mobile Food Service Units-02-2019 \(002\)](#)

Date	Ver.	Action By	Action	Result
4/16/2019	1	City Council		

Consideration of and action on an ordinance related to the permitting of food trucks.

Summary:

With this action, Council is considering the adoption of an ordinance related to allowing food trucks in Deer Park. This matter will be discussed during Tuesday evening's City Council Workshop, as well. It follows earlier discussion from the City Council Workshop held on February 5, 2019, at which time Council discussed options for allowing food trucks to operate in Deer Park under certain conditions. Of particular interest was permitting them at City facilities as part of special events, such as our Thursday night summer concerts in Dow Park. Over the past several weeks, staff has held several meetings to formulate a recommended ordinance for Council's consideration (see attached). We believe it encompasses what we intended to accomplish, while avoiding any unintended consequences. Highlights on the ordinance include the following:

- A \$25 permit would be required, and it is good for 90 days.
- City requires a background check for registered sexual offenders for all persons working in the food truck.
- Vendor must have a valid health permit from Harris County.
- Food truck must have written permission from property owner to operate from private property (or from the City in order to operate in a City park).
- Must have access to a nearby flushable toilet in a facility.

- Must be parked on a paved surface with adequate parking for patrons.
- Cannot serve from the roads, streets, or rights-of-way.
- Cannot operate for more than twelve (12) consecutive hours, and cannot park at a location for more than 48 hours.
- Cannot operate in a residential zoned area unless in a public park with City of Deer Park's written permission.
- Cannot dispose of grease or grey-water on site.
- Cannot offer drive through service.
- Food truck must have an approved fire extinguisher and first aid kit.

Fiscal/Budgetary Impact:

Permit fee of \$25.

Approval is recommended.

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTIONS 22-48 and 22-48 APPENDIX “B” TO THE DEER PARK CODE OF ORDINANCES REGULATING MOBILE FOOD SERVICE UNITS WITHIN THE CITY OF DEER PARK, TEXAS; AND DECLARING AN EMERGENCY.

1. That Section 22-48 of the Deer Park Code of Ordinances be added to regulate Mobile Food Service Units.

2. Section 22-48 (a)

Definition of Mobile Food Service Unit “self-propelled vehicle designed for food preparation and/or distribution.”

3. Section 22-48(b)

Requirements of Mobile Food Service Units to operate in Deer Park, Texas.

a) Must obtain a ninety (90) day permit from the City of Deer Park City Secretary’s office.

Requirements for City Permit:

- 1) proof of valid insurance policy
- 2) valid vehicle registration sticker
- 3) copy of sales tax permit and requirement that City of Deer Park shall be reported for all sales within Deer Park
- 4) menu of food items sold
- 5) copy of a Federal or State government issued identification document or card for all persons working in Mobile Food Service Unit for registered sexual offenders check
- 6) application must be completed at least ten (10) days before start of operation in City

b) Must have a health permit from the Harris County Public Health Department for food establishment.

c) Must have written permission of property owner to locate on private property (City Parks or City Property require written permission from the City of Deer Park).

d) Must have access to flushable toilet within a facility with an occupancy permit on the same property as where the Mobile food service unit is located.

- e) Must be parked on a paved surface with adequate parking for patrons.
- f) Cannot serve products from the roads, streets or right of ways .
- g) Cannot operate for more than twelve (12) consecutive hours.
- h) Cannot park at any one location for more than forty-eight (48) hours without occupancy permit from the City of Deer Park.
- i) Cannot operate in a residential zoned area unless in a public park with the City of Deer Park's written permission.
- j) Cannot dispose of grease or grey-water on site.
- k) Shall not provide a drive through service of any kind.
- l) Must always have approved fire extinguisher and first aid kit in Mobile Food Service Unit.

4. That there be a \$25.00 fee paid to the City Secretary's office for the Mobile Food Service Unit permit per under Appendix B section. 22-48.

5. 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, clause, 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.

6. 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.

7. 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 Mobile Food Service Units 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.

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 _____, 2019 **by a vote of** _____ **“Ayes” and** _____ **“Noes”**.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney