

Sherry Garrison, Council Position 1
TJ Haight, 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) V.A.T.S., and the Open Meetings Act, the Council may adjourn to an executive session related to the following items: [EXS 19-008](#)
 - a. Personnel (551.074) - Naming Appointees to the Board of Directors of a Type B Sales Tax Corporation.

Recommended Action: Discussion only in Executive Session.
Department: City Manager's Office
2. Introduction of the new Touchstone Battleground Golf Course Manager, Reagan Davis. [PRE 19-025](#)

Recommended Action: Applause
3. Presentation of the Girls Softball Renovations Project. [PRE 19-024](#)

Recommended Action: Applause
4. Discussion of issues relating to an amendment to the City's commercial solid waste agreement with Waste Management of Texas, Inc. [DIS 19-088](#)

Recommended Action: Discussion only in Workshop.
Department: City Manager's Office and Public Works
Attachments: [Deer park second am 06.2019](#)
5. Discussion of issues relating to building standards after passage of House Bill 2439. [DIS 19-087](#)

Recommended Action: Discussion only in Workshop.

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

6. Discussion of issues relating to entering into an agreement with Cobb Fendley for the final design services of drainage improvements for Heritage Addition, Deer Park Manor and Delo-Elaine Subdivisions.

[DIS 19-091](#)

Recommended Action:

Discussion item only. Action item is on the regular council agenda

Attachments:

[CF maps for 3 study areas](#)

ADJOURN

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
July 12, 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 19-008 **Version:** 1 **Name:**
Type: Executive Session **Status:** Agenda Ready
File created: 7/8/2019 **In control:** City Council Workshop
On agenda: 7/16/2019 **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 the following items:
 a. Personnel (551.074) - Naming Appointees to the Board of Directors of a Type B Sales Tax Corporation.
Sponsors: City Manager's Office
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/16/2019	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 the following items:

 a. Personnel (551.074) - Naming Appointees to the Board of Directors of a Type B Sales Tax Corporation.

Summary:

Pursuant to Section 551.074 of the Open Meetings Act, the City Council will enter into executive session to discuss naming appointees to the Board of Directors of a Type B Sales Tax Corporation.

Fiscal/Budgetary Impact:

None

Discussion only in Executive Session.



Legislation Details (With Text)

File #: PRE 19-025 **Version:** 1 **Name:**
Type: Presentation **Status:** Agenda Ready
File created: 7/9/2019 **In control:** City Council Workshop
On agenda: 7/16/2019 **Final action:**
Title: Introduction of the new Touchstone Battleground Golf Course Manager, Reagan Davis.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/16/2019	1	City Council Workshop		

Introduction of the new Touchstone Battleground Golf Course Manager, Reagan Davis.

Reagan Davis joined the Battleground Golf Course team in July 27th, 2019 as General Manager. He brings over 28 years of experience as a PGA Golf Professional to the City of Deer Park, Texas.

Reagan has managed public, private, and resort style golf courses across the country. His career highlights include terms at Eagle Ridge Resort & Spa, Galena IL, Troon North Golf Club and Camelback Golf Club both in Scottsdale, AZ. He also spent 17 years at Les Vieux Chene Golf Course, Lafayette LA under the tutelage of some of the best golf professionals in the south.

This "Ragin Cajun," from south Louisiana, prides himself in all things golf. In 2016 he was named Touchstone Golf's "GM of the Year". Also in 2017 the Illinois PGA Section named him "Merchandiser of the Year". In 2018 & 2019 Reagan was nominated for national PGA "Merchandiser of the Year". As an avid vintage golf club collector and golf historian, Reagan brings a unique prospective of the game to Battleground Golf Course. He attributes his success in the golf industry to his wife and three children.



None at this time.

Applause



Legislation Details (With Text)

File #: PRE 19-024 **Version:** 1 **Name:**
Type: Presentation **Status:** Agenda Ready
File created: 7/9/2019 **In control:** City Council Workshop
On agenda: 7/16/2019 **Final action:**
Title: Presentation of the Girls Softball Renovations Project.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/16/2019	1	City Council Workshop		

Presentation of the Girls Softball Renovations Project.

The Girls Softball Renovations Project has been substantially completed and this presentation depicts the newly renovated fields (four lighted and two practice), new concession stand, batting cages, additional parking, maintenance facility and much more open space. The complex is being utilized by the Deer Park Girls Softball Organization and soon will be available for public usage as well.

None at this time.

Applause



Legislation Details (With Text)

File #: DIS 19-088 **Version:** 2 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 7/5/2019 **In control:** City Council Workshop
On agenda: 7/16/2019 **Final action:**
Title: Discussion of issues relating to an amendment to the City's commercial solid waste agreement with Waste Management of Texas, Inc.
Sponsors: City Manager's Office, Public Works
Indexes:
Code sections:
Attachments: [Deer park second am 06.2019](#)

Date	Ver.	Action By	Action	Result
7/16/2019	2	City Council Workshop		

Discussion of issues relating to an amendment to the City's commercial solid waste agreement with Waste Management of Texas, Inc.

Summary:

The City of Deer Park has a solid waste collection and transportation agreement with Waste Management of Texas, Inc. which runs through 2021. Recently, owners of a local mobile home park inquired about having polycart service at their park, rather than traditional dumpsters. Their dumpsters often overflow with trash, much of which is dumped illegally by non-residents of their facility. The City's solid waste agreement with Waste Management does not provide for cart service. However, after assessing this situation Waste Management is willing to add cart service to our contract via this amendment. Per the amendment, mobile home parks with twenty (20) or more units may receive cart service once per week. The cost will be as follows:

Mobile Home Cart Collection:	\$19.80 per home
Additional Cart for Mobile Home:	\$5.00 per home per month
Replacement Cart:	\$75.00

The attached amendment was reviewed and approved by City Attorney Jim Fox.

Fiscal/Budgetary Impact:

This matter is budget neutral to City.

Discussion only in Workshop.

SECOND AMENDMENT TO COMMERCIAL SOLID WASTE COLLECTION AND TRANSPORTATION AGREEMENT

This “**SECOND AMENDMENT TO COMMERCIAL SOLID WASTE COLLECTION AND TRANSPORTATION AGREEMENT**” (this “Amendment”) is entered into as of the ____ day of _____, 2019, by and between the City of Deer Park, Texas (“City”) and Waste Management of Texas, Inc. (“Contractor”), a Texas corporation.

W I T N E S S E T H:

WHEREAS, the City and Contractor previously entered into a certain Commercial Solid Waste Collection and Transportation Agreement dated September 3, 2013, and the First Amendment dated October 16, 2018 (collectively, the “Agreement”), whereby Contractor was granted the exclusive right within the City to operate and maintain the service of containerized commercial waste collection, transportation, and disposal, as more particularly set forth in the Agreement; and

WHEREAS, the City and Contractor desire to modify the Agreement, as more particularly set forth below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the parties hereto agree as follows:

1. This Amendment will take effect on _____, 2019.
2. Section 1.02 of the Definitions entitled Commercial Unit is hereby revised to add the following words in bold:

1.02 Commercial Unit: All commercial businesses and establishments, including, but not limited to, stores, offices, restaurants, warehouses, **mobile home parks (with more than 20 permanent mobile homes)**, and other non-manufacturing facilities, premise, locations or entities, public or private, within the corporate limits of the City that generate two (2) cubic yards or more of Solid Waste per week.

3. A new subsection shall be added as 5.01(c) as follows:

(c) **Mobile Home Parks:** Contractor shall have the exclusive right to provide Solid Waste collection to mobile home parks with at least 20 permanent mobile homes. Contractor will deliver one (1) approximately 95-gallon rubber-wheeled polycart with an attached lid (“Cart(s)”) to each mobile home within the park for collection of Solid Waste. Contractor shall provide a once per week collection of the Carts. Customers shall place the Carts for collection in a location that is readily accessible to Contractor and its automated side load collection truck, not to exceed three (3) feet from the curb or edge of the travel portion of the street, road or alley, and not to be located in a manner that will block the driveway or mailbox or otherwise inhibit proper servicing. The City shall aid Contractor in resolving problems of Cart location by the Customer.

Customers shall not overload Carts and the Carts shall be loaded such that the lids shall close securely. Contractor shall not be required to collect (i) any Residential Waste that is not placed in a Cart, (ii) any Residential Waste from a Cart that is overloaded, or (iii) a Cart that is not properly placed for collection. The Base Rates for once per week Cart collection service to mobile home Customers is set forth on the attached **Schedule A**. A mobile home Customer may also request that Contractor provide an additional Cart for such Customer's use and the Base Rate for additional Carts is also set forth in the attached **Schedule A**.

The Carts furnished by the Contractor hereunder shall remain the property of Contractor, and the Customer will have no interest in the Carts. The Carts shall remain at the location of the mobile home where delivered by Contractor. Any Cart removed from a Residential Unit shall be deemed lost. In the event a Cart should be lost or stolen from a mobile home, Contractor agrees to replace such lost or stolen Cart with a replacement Cart, at a charge to the Customer set forth in the attached **Schedule A**.

4. Capital words used in this Amendment shall have the meaning assigned in the Agreement or in this Amendment. Nothing contained herein shall be deemed to amend or modify the Agreement, except as expressly set forth herein. In the event of a conflict between the terms of the Agreement and this Amendment, the terms of this Amendment shall control.

IN WITNESS WHEREOF, this Amendment has been executed as of the date first set forth above.

CITY

CONTRACTOR:

Deer Park, Texas

Waste Management of Texas, Inc.

By: _____

By: _____

Its: _____

Its: _____

Date: _____

Date: _____

**SCHEDULE “A” to the Second Amendment
Base Rates – Commercial Dumpsters & Mobile Home Cart Collection**

**City of Deer Park
Effective Date: December 1, 2018**

**Base Rates
(includes 12% franchise fee and 8% processing fee)**

Mobile Home Cart Collection: \$19.80 per home
Additional Cart for Mobile Home: \$5.00 per home per month
Replacement Cart: \$75.00

Dumpster Service								
		1x	2x	3x	4x	5x	6x	Extra P/U
Size	2 cy	\$57.42	\$86.37	\$107.97	\$114.82	\$143.54	\$172.24	\$60.49
	3 cy	\$80.98	\$107.97	\$156.55	\$199.73	\$291.51	\$323.33	\$66.54
	4 cy	\$84.03	\$129.56	\$183.55	\$229.67	\$287.07	\$344.49	\$72.59
	6 cy	\$86.13	\$172.74	\$242.92	\$313.11	\$464.25	\$516.73	\$78.64
	8 cy	\$114.82	\$210.54	\$313.11	\$459.31	\$615.41	\$688.98	\$84.68
	10cy	\$143.54	\$259.12	\$356.28	\$574.15	\$637.00	\$861.22	\$90.74

Add Locking device: \$78.60 (one-time charge for adding device.)

Roll out fee: \$18.16/occurrence

Dumpster Delivery Fee: \$145.19

Redelivery/Relocate/Swap Fee: \$145.19/event

Overage Charge: \$138.00

SCHEDULE “A”
Base Rates – Commercial Dumpsters & Mobile Home Cart Collection

City of Deer Park
Effective Date: December 1, 2019

Base Rates
(includes 12% franchise fee and 8% processing fee)

Mobile Home Cart Collection: \$20.79 per home
 Additional Cart for Mobile Home: \$5.25 per home per month
 Replacement Cart: \$78.75

Dumpster Service								
		1x	2x	3x	4x	5x	6x	Extra P/U
Size	2 cy	\$60.29	\$90.69	\$113.37	\$120.56	\$150.72	\$180.86	\$63.52
	3 cy	\$85.02	\$113.37	\$164.38	\$209.72	\$306.09	\$339.50	\$69.87
	4 cy	\$88.24	\$136.04	\$192.72	\$241.15	\$301.42	\$361.71	\$76.22
	6 cy	\$90.43	\$181.37	\$255.06	\$328.76	\$487.46	\$542.57	\$82.57
	8 cy	\$120.56	\$221.06	\$328.76	\$482.28	\$646.18	\$723.43	\$88.92
	10cy	\$150.72	\$272.08	\$374.10	\$602.85	\$668.85	\$904.29	\$95.28

Add Locking device: \$82.53 (one-time charge for adding device.)
 Roll out fee: \$19.06/occurrence
 Dumpster Delivery Fee: \$152.44
 Redelivery/Relocate/Swap Fee: \$152.44/event
 Overage Charge \$144.90

SCHEDULE “A”
Base Rates – Commercial Dumpsters & Mobile Home Cart Collection

City of Deer Park
Effective Date: December 1, 2020

Base Rates
(includes 12% franchise fee and 8% processing fee)

Mobile Home Cart Collection: \$21.83 per home
 Additional Cart for Mobile Home: \$5.51 per home per month
 Replacement Cart: \$82.69

Dumpster Service								
		1x	2x	3x	4x	5x	6x	Extra P/U
Size	2 cy	\$63.31	\$95.23	\$119.03	\$126.59	\$158.25	\$189.90	\$66.69
	3 cy	\$89.28	\$119.03	\$172.60	\$220.20	\$321.39	\$356.47	\$73.36
	4 cy	\$92.65	\$142.84	\$202.36	\$253.21	\$316.49	\$379.80	\$80.03
	6 cy	\$94.96	\$190.44	\$267.82	\$345.20	\$511.84	\$569.70	\$86.70
	8 cy	\$126.59	\$232.12	\$345.20	\$506.39	\$678.49	\$759.60	\$93.36
	10cy	\$158.25	\$285.68	\$392.80	\$633.00	\$702.29	\$949.50	\$100.04

Add Locking device: \$86.66 (one-time charge for adding device.)

Roll out fee: \$20.01/occurrence

Dumpster Delivery Fee: \$160.07

Redelivery/Relocate/Swap Fee: \$160.07/event

Overage Charge \$152.15



Legislation Details (With Text)

File #: DIS 19-087 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 7/5/2019 **In control:** City Council Workshop
On agenda: 7/16/2019 **Final action:**
Title: Discussion of issues relating to building standards after passage of House Bill 2439.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/16/2019	1	City Council Workshop		

Discussion of issues relating to building standards after passage of House Bill 2439.

Summary:

In Texas' 2019 legislative session, the State Legislature approved House Bill 2439. It was signed into law by Governor Abbott on June 14, 2019, and it becomes effective September 1, 2019. This new law prohibits a local government from banning the use of a building material, product, or method that is otherwise approved in a national model code. It further prohibits a municipality from adopting standards that are more stringent than the requirements a national model code. This will mean significant changes for Deer Park. The City's national model code is the 2012 International Building Code. We have a City ordinance which requires commercial buildings to be constructed with decorative building materials on any side facing a street or thoroughfare. We use this to improve the façade of metal buildings, for example. Similarly, with residential accessory structures over 200 square feet in size, we require wood frame construction and the roof of the accessory structure must match the roof of the residence in like material. With the passage of HB 2439, no longer will either of these be enforceable. Chief Building Official Larry Brotherton will explain this matter in greater detail on Tuesday night.

Fiscal/Budgetary Impact:

To be determined.

Discussion only in Workshop.



Legislation Details (With Text)

File #: DIS 19-091 **Version:** 1 **Name:**
Type: Discussion **Status:** Agenda Ready
File created: 7/10/2019 **In control:** City Council Workshop
On agenda: 7/16/2019 **Final action:**
Title: Discussion of issues relating to entering into an agreement with Cobb Fendley for the final design services of drainage improvements for Heritage Addition, Deer Park Manor and Delo-Elaine Subdivisions.

Sponsors:

Indexes:

Code sections:

Attachments: [CF maps for 3 study areas](#)

Date	Ver.	Action By	Action	Result
7/16/2019	1	City Council Workshop		

Discussion of issues relating to entering into an agreement with Cobb Fendley for the final design services of drainage improvements for Heritage Addition, Deer Park Manor and Delo-Elaine Subdivisions.

Summary:

In response to historical repetitive losses due to flooding, the city entered into an agreement with Cobb Fendley for preliminary drainage design services for Heritage Addition, Deer Park Manor and Delo-Elaine Subdivisions in June 2018. The preliminary study recommended purchasing two properties for use as detention ponds on the first two subdivisions and construction of a conveyance channel for the Delo-Elaine subdivision along the north property line of the Luella Service Center property. The City has recently purchased the two properties and is ready for the consultant to move forward with final design and the production of plans and specifications of drainage improvements. The consultant's fees for final design is \$413,840.00 and \$90,450 for additional services, for a total contract fee of \$504,290.00.

Fiscal/Budgetary Impact:

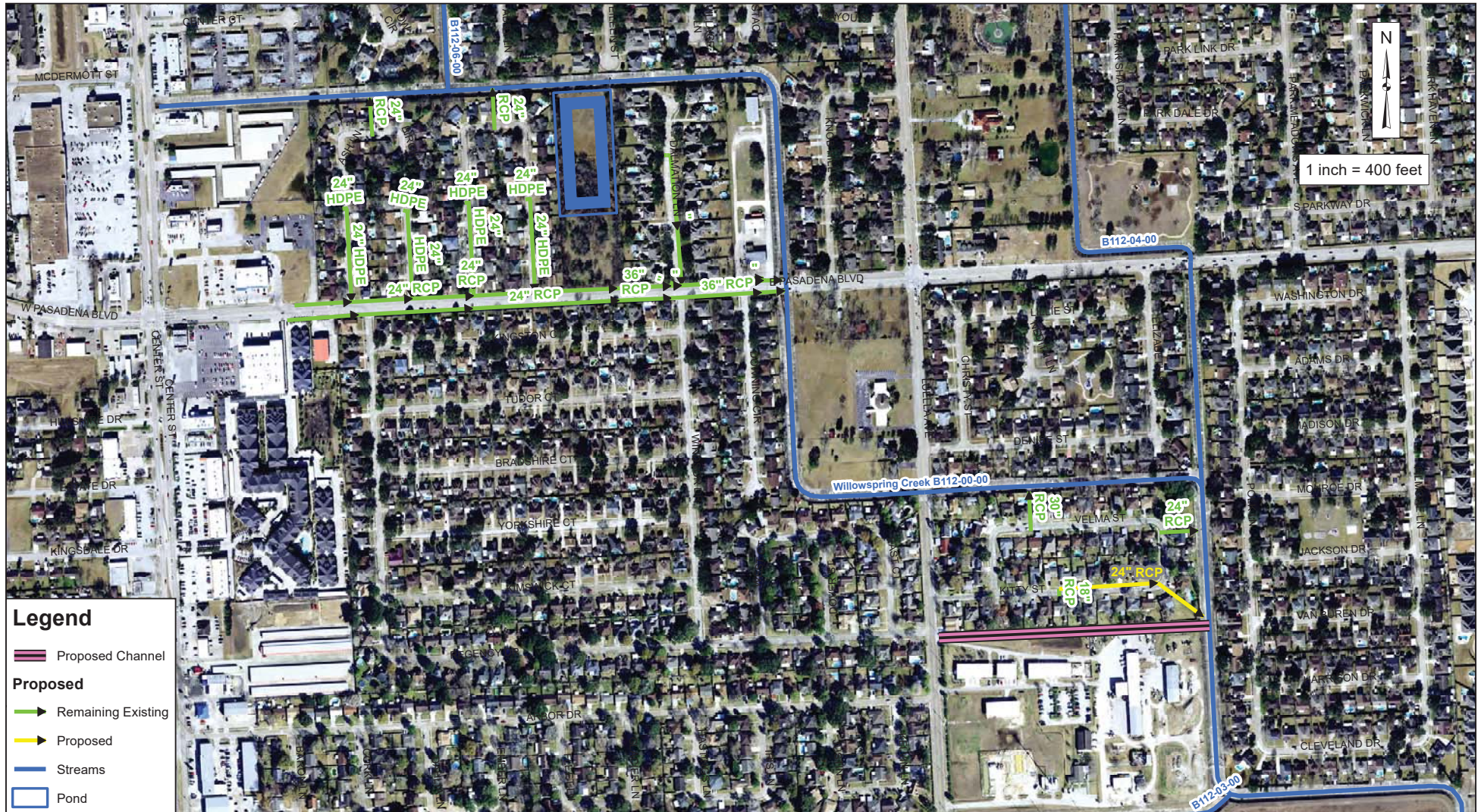
Available drainage bond funds

Discussion item only. Action item is on the regular council agenda



Date: January 2019

EXHIBIT C-1



Legend

- Proposed Channel
- ➔ Remaining Existing
- ➔ Proposed
- Streams
- Pond

CobbFendley
Total Registration No. 214

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 Houston, Texas 77040
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 www.cobbhendley.com



Google Earth

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Yale Ln

Luella Ave

E Court St

Dover St

W Court St

Downing Cir

Christy St

Denise St

Denise

Nedim St

Elizabeth

Velma St

Kitty St

Adams Dr

Madison Dr

Monroe Dr

Jackson Dr

Van Buren Dr

Harrison Dr

Cleveland Dr

Polk Ln

Filmore Ln



1000 ft