

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

A WORKSHOP MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON JUNE 20, 2017, BEGINNING AT 6:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

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

OTHER CITY OFFICIALS PRESENT:

JAY STOKES	CITY MANAGER
GARY JACKSON	ASSISTANT CITY MANAGER
SHANNON BENNETT	CITY SECRETARY
JIM FOX	CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the workshop to order at 6:30 p.m.
2. PRESENTATION OF THE CONSTRUCTION AND COMPLETION TO THE TIFFANY MANOR PARK PLAYGROUND EQUIPMENT – Interim Parks and Recreation Director, Charlie Sandberg provided a video of the construction of Tiffany Manor Park.
3. UPDATE ON INFORMATION TECHNOLOGY SECURITY INITIATIVES – Daryl Denzer, I.T. Technical Support Supervisor gave an overview on Information Technology Security Initiatives and highlighted secure staff training, security assessment and penetration testing. (Exhibit A1-A2)
4. PRESENTATION AND DISCUSSION ON A RECOMMENDATION FROM STAFF TO CHANGE THE CITY OF DEER PARK’S SEAL – I.T. Director James Lewis advised the Council of a resolution to change the City’s seal. Staff believes there is an opportunity to evolve the City’s branding by making a small revision to the current City of Deer Park’s seal. The change is replacing “Deer Park” from the bottom of the insignia with the date “1892”. It not only removes the redundant information, but brings consistency across City banding. The current use of the City of Deer Park’s official seal is limited to stamp impressions on official City Council business. Staff would continue to use the seal as a

stamp but also expand its use as a backdrop image in the New City Hall Council Chambers to represent official City Council business.

5. DISCUSSION OF ISSUES RELATED TO THE AUDIO-VIDEO EQUIPMENT IN NEW CITY HALL COUNCIL CHAMBERS – I.T. Director James Lewis advised the Council, in January, Council approved the consulting agreement with Ford AV for the design of audio-video systems in the New City Hall Council Chambers. The Staff has worked with Ford AV along the architect, general contractor, electrical contractor and department directors to determine the audio-visual needs and goals of the City. Ford AV has submitted a proposal for the installation of these specifications. As part of their proposed contract, Ford AV will provide an additional two (2) year warranty three (3) year total warranty on all hardware and three (3) years of preventative maintenance. This project funded out of PEG funds. The total cost of the project is \$288,876.12. The budget for this project is \$488,269.59.

Business Analyst and Project Manager Paul Kurtz commented, “The Audio-Video equipment for the Council Chambers will include a large video wall behind the dais for presentations, which will remain viewable to the audience, even when high levels of ambient light are present. Each member of the Council will have a 21.5” display for viewing presentations or the agenda, as well as microphones, dedicated speaker with volume control and headphone port. The presentation lectern will contain equipment allowing a presenter to display a computer image or physical document and annotation technology to allow the presenter to mark-up their presentation/map etc. It will be mobile and can utilize any one of three positions in the chambers for presentation or training purposes. A studio space will be located in the back of the Council Chambers and be furnished with a console that includes a built-in equipment rack with space for various production equipment. Equipment will include, but not be limited to, a DVD/Blu-Ray player, servers for video production, as well as sound mixing and recording equipment. Recessed, multi-color LED fixtures will be installed above the windows, visible during the evening hours to passing traffic. Colors can be changed to reflect holidays such as Christmas and Fourth of July or in observance of other events. The entire system can be controlled by touch-panels utilized by the Assistant City Manager and City Secretary. The Council Chambers Executive Board Room will have a large wall mounted display for presentations with various multi-media connections for presenters. In the lobby of City Hall, two displays will be installed for viewing DPTV, historic photos, as well as current and upcoming events.”

6. DISCUSSION OF ISSUES RELATED TO AUDIO-VIDEO EQUIPMENT IN THE NEW CITY HALL - I.T. Director James Lewis advised the Council in January, the Council approved the consulting agreement with Ford AV for the design of audio-video systems in the New City Hall. Staff has worked with Ford AV along the architect, general contractor, electrical contractor and department directors to determine the audio-visual needs and goals of the City. Ford AV has submitted a proposal for the installation of these specifications. As part of their proposed contract, Ford AV will provide an additional two (2) year warranty, three (3) year total warranty on all hardware and three (3) years of preventative maintenance. Pricing contained in the contract is under a BuyBoard Contract #482-15 as outlined in Exhibit A-4 of the contract. This project to be funded out of

construction funds #90-105-4902. Total cost of the project is \$169,702.74. The budget for this project is \$196,000.00.

Business Analyst and Assistant Project Manager Nathan Bell commented, “The City Hall design includes four conference rooms. Each room will have a large display offer the user a simplified connection interface for presentations, including HDMI and wireless connectivity and each room will also be controlled via a push button control system. Various City Hall offices will be equipped with eight displays connected to the internal cable distribution system. Some offices will also have computer connectivity for presentations. A sound masking system will be installed throughout City Hall, providing speech privacy to the Human Resource and Finance areas. Additional coverage will include the front lobby, main hallway and Public Works. A utility payment drive-thru system will be installed, giving staff the ability to talk to the customers from the window or their desks. The camera system will allow staff to visually monitor the drive-thru.”

City Manager Jay Stokes commented, “I appreciate our I.T Department. We have a great I.T. Department.”

7. DISCUSSION OF ISSUES RELATED TO A REQUEST FROM WAL-MART REGARDING THE USE OF EXTERNAL SHIPPING CONTAINERS – City Manager

Jay Stokes advised the Council this is a continuation of the discussion regarding Wal-Mart’s request for use of seasonal external shipping containers. You may recall, this item came before Council during your Workshop on March 21, 2017. At present, the City’s Zoning Ordinance prohibits the use of shipping containers for external storage in a commercial zoning district. Historically, the only exception to this rule is the Public Works Director, on occasion, has granted commercial businesses the ability to use one (1) shipping container for external storage during the Holiday Season. This generally entailed the unit arriving no earlier than mid-October and being removed by mid-January. Since the presentation to Council on March 21<sup>st</sup>, Staff and Wal-Mart officials have engaged in additional dialogue regarding Wal-Mart’s request. Wal-Mart officials have indicated during the peak shopping season of September – December, they need 40 containers. Should Council desire to create a zoning change, which will allow for the temporary use of outdoor storage containers, staff recommends the following:

- Containers may only be placed behind the business’ primary structure.
- Containers be fenced and screened from public view.
- Containers may not be stacked on top of one another.
- Containers may not be placed in an area marked as a parking lot.
- Containers must be placed on an approved impervious surface (concrete or asphalt) and may not be placed on grass, dirt, crushed rock, etc.
- Containers be allowed for no more than 90 days and no more than once per year.
- Containers be permitted through the Public Works Department and/or approved via a Specific Use Permit.
- Placement of the containers must meet all applicable permanent construction setback requirements of the Commercial Zoning District.

Wal-Mart seems agreeable to each of these items. Additional items were addressed to include the permissibility of temporary fencing vs. requiring permanent fencing and the

need to amend the zoning ordinance to allow for storage within an external shipping container. Presently, this is not allowed by Code.

Consensus of the Council is to move forward with the drafting and ordinance with the provisions discussed.

8. DISCUSSION OF AND ISSUES RELATED TO THE RAE LYNN PERFORMANCE CONTRACT FOR NOVEMBER 4, 2017 – Gary Jackson, Assistant City Manager, advised Council at the May 16<sup>th</sup> Regular Meeting, City Council reviewed the Public Engagement Offer and Artist Production Rider Appendix from Raelynn’s management group and authorized a few deletions to the proposed Rider, authorized a performance fee of \$25,000 and made two additional requests. First, in the event of a cancellation by the performer, the City would be reimbursed for any funds advanced. Second, in the event of a rainout, the performer would agree to some indoor alternative, such as an acoustic performance or a meet-and-greet. The performer’s management group has submitted a proposed contract. Certain sections have been highlighted as follows: Compensation. \$30,000 has been requested. Council previously authorized \$25,000; Section 5: Payment Terms: 2 advance deposits of \$15,000 each are requested; Addendum A: Section G: Producer’s Right to cancel. Producer may cancel without liability by giving at least 30 days’ notice. If this occurs, Producer must return any deposits received in connection with this engagement. Section L. Insurance/Indemnification. \$5M General Liability limit is being requested. The City’s current General Liability limit is \$1M. Raising our General Liability from \$1M to \$5M would cost \$3,752 annually. This is not recommended. We are obtaining a quote on a single event coverage which is anticipated to be considerably less expensive. Under indemnification, the term “gross” before negligence should be deleted. Section Q. Dispute Resolution. Should be in Harris County, Texas instead of Nashville, Tennessee. City Attorney, Jim Fox has reviewed the indemnification provision.

Councilwoman Sinor, asked, “When will we know?”

Mr. Jackson, commented, “We thought we would have one earlier from one of our local agents, but they were confused about the coverage. I would think it would not be higher than the \$3,700.”

Councilman Ginn, asked, “Is the five million general liability pretty standard for something like this?”

Mr. Jackson, commented, “This would be considered a proprietary function as opposed to a governmental type function. It’s happening away from our facility and on another piece of property. In the industry for a large scale function, that is not unreasonable.”

Councilwoman Garrison, asked, “I’m ok with that, but I have a question about the rider that was sent to us on May 16th. Is that going to be tacked on the contract and is that going to add a lot of extra expense? How many security people do they have? The equipment that is

being provided by the gentleman from San Jacinto College, I'm talking about all that, has not been firmed up yet as far as cost."

Mr. Jackson, commented, "My understanding from Mr. Culp is that has all been agreed to. The only thing that didn't meet the budgetary requirements was the \$30,000 instead of the \$25,000. The budget they had for the sound equipment and for the stage, my understanding from Mr. Culp is that all were in agreement."

Councilwoman Garrison, commented, "But we don't have anything in agreement yet."

Mr. Jackson, commented, "They sent back the original rider. Mr. Culp, with Councils approval had the Mayor's signature on what Council approved and sent back with the riders. They sent the original rider, not the one marked up by us. They told him verbally they were in agreement with those issues. We sent back that rider previously approved in May back to them, along with this contract."

Councilwoman Garrison, commented, "I just want to make sure because there may be some additional cost."

Mr. Jackson, commented, "There are certain things like the food that, Mr. Culp said has been compted by a local hotel, but I have not personally talked to the hotel."

Councilwoman Garrison, commented, "That concerns me a little bit. I wish Mr. Culp were here and I would like to see it in writing. We have a 125th meeting next week so maybe by then we will have something definite."

Mr. Stokes, commented, "Then again, we are turning in the same rider that Council approved."

Councilwoman Garrison, commented, "Ok, I think this will be a good thing. I'm just concerned about the cost."

9. ADJOURN – Mayor Mouton adjourned the workshop meeting at 7:22 p.m.

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Shannon Bennett, TRMC  
City Secretary

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Jerry Mouton  
Mayor