

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1721st 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 NOVEMBER 06, 2018, 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
SONIA ACOSTA
JIM FOX

CITY MANAGER
ASSISTANT CITY MANAGER
DEPUTY CITY SECRETARY
CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the meeting to order at 7:30 p.m.
2. INVOCATION – The invocation was given by Councilman Patterson.
3. PLEDGE OF ALLEGIANCE – Councilman Martin led the Pledge of Allegiance to the United States Flag and the Texas Flag.
4. PROCLAMATION – MUNICIPAL COURT WEEK – Mayor Mouton presented Municipal Court Administrator Michelle Combs with a proclamation in recognition of 2018 Municipal Court Week and declared November 5th – 9th, 2018 as Municipal Court Week.
5. 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 for October 16, 2018.
 - b. Approval of minutes of regular meeting for October 16, 2018.
 - c. Approval of tax refund to Deere Credit Inc. in the amount of \$1,661.10 due to a value decrease granted by Harris County Appraisal District.

- d. Approval of tax refund to Pacific Life in the amount of \$10,620.00 due to a value decrease granted by Harris County Appraisal District.
- e. Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$987.35 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District.
- f. Approval of tax refund to Center Drive Inc. in the amount of \$882.26 due to a value decrease granted by Harris County Appraisal District.
- g. Approval of tax refund to Sanwood Investments LP in the amount of \$3,967.04 due to a value decrease granted by Harris County Appraisal District.
- h. Approval of tax refund to Patricia Boone in the amount of \$1,607.39 due to a value decrease granted by Harris County Appraisal District.
- i. Approval of tax refund to Clay CMBS #2 LP in the amount of \$1,457.28 due to a value decrease granted by Harris County Appraisal District.
- j. Approval of tax refund to Clay Partners - 306 Deerwood Glen LP in the amount of \$1,813.72 due to a value decrease granted by Harris County Appraisal District.
- k. Approval of tax refund to Clay Partners FG Deerwood Glen LP in the amount of \$2,834.12 due to a value decrease granted by Harris County Appraisal District.
- l. Approval of tax refund to Clay Real Estate Holdings #3 LP in the amount of \$3,333.60 due to a value decrease granted by Harris County Appraisal District.
- m. Approval of tax refund to Clay Partners 208 Deerwood Glen LP in the amount of \$1,321.92 due to a value decrease granted by Harris County Appraisal District.
- n. Approval of tax refund to Clay Partners 220 Deerwood Glen CT LP in the amount of \$1,440.00 due to value decrease granted by Harris County Appraisal District.
- o. Approval of tax refund to Ismael & Daisy Melissa Jimenez in the amount of \$551.62 due to a homestead exemption granted by Harris County Appraisal District.
- p. Approval of tax refund to Clay Partners Deerwood Office III LP in the amount of \$9,972.78 due to a value decrease granted by Harris County Appraisal District.
- q. Approval of tax refund to Lereta Tax Services in the amount of \$636.86 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.
- r. Approval of tax refund to Stewart Title Company in the amount of \$1,052.59 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.

- s. Approval of tax refund to Northeast R. E. Management LLC in the amount of \$598.41 due to a value decrease granted by Harris County Appraisal District.
- t. Approval of tax refund to Clay CMBS #2 LP in the amount of \$777.60 due to a value decrease granted by Harris County Appraisal District.
- u. Approval of tax refund to Fidelity National Title Agency Inc. in the amount of \$959.19 due to a homestead exemption and an over-65 exemption granted by Harris County Appraisal District.
- v. Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,180.80 due to a value decrease granted by Harris County Appraisal District.
- w. Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,367.47 due to a value decrease granted by Harris County Appraisal District.
- x. Approval of tax refund to Clay - CMBS #2 LP in the amount of \$1,103.79 due to a value decrease granted by Harris County Appraisal District.
- y. Approval of tax refund to Clay – CMBS #5 LP in the amount of \$504.00 due to a value decrease granted by Harris County Appraisal District.
- z. Approval of tax refund to Clay - CMBS #5 LP in the amount of \$1,158.12 due to a value decrease granted by Harris County Appraisal District.
- aa. Approval of tax refund to Popp Hutcheson PLLC in the amount of \$3,222.94 due to a value decrease granted by Harris County Appraisal District.
- bb. Approval of tax refund to Carla D Ann Lowrance Trust in the amount of \$660.39 due to a homestead exemption and a disability exemption granted by Harris County Appraisal District.
- cc. Authorization to terminate Task Order No. 16-005-A with Halff Associates for the Community Center and Gymnasium - Phase I Programming.
- dd. Authorization to terminate Task Order No. 16-007 with Halff Associates for the development of Hike and Bike Trails.
- ee. Acceptance of Quarterly Investment Report for the Quarter Ended September 30, 2018.
- ff. Acceptance of the Deer Park Community Development Corporation's quarterly reports for the period of April 1, 2018 - June 30, 2018 and July 1, 2018 - September 30, 2018.
- gg. Authorization on issuing a Request for Proposals (RFPs) for a water and sewer rate study.
- hh. Authorization to purchase an expansion shelf for the Nimble storage device from Datavox

Motion carried 7 to 0.

6. COMMENTS FROM AUDIENCE –

- a. Jacob Guerra, 905 Dutch, Deer Park commented, “I am currently the President of Deer Park Pony Baseball. I wanted to first apologize that it has taken me so long. I intended to get in here right after baseball season but baseball season rolled into football season which rolled into fall ball baseball season which now we only have about a two week break before with Thanksgiving holidays and back into baseball. If you were not aware, back in June and early July, Deer Park Baseball hosted about 6 tournaments for Pony International. Those were 2 World Series and 4 Zone tournaments. Zone tournaments are the one step s hort of the World Series. You have to qualify to get to all this tournaments. We brought in about 100 teams from all over the country, as far east as Florida from New Mexico, Alabama and all the way down. It was a great success and we have been asked to do it again. The reason I am here is because I wanted to thank Charlie Sandberg, Tiffany McGallian, Noe Mendoza, Jacob Zuniga and the Parks and Recreation Department, because without them it would not have been as successful as it was. I wanted to present them with a plaque, a championship ring and a runner up ring in appreciation for all of their support for our league and making those tournaments go off without a hitch.”

Parks and Recreation Director, Charlie Sandberg accepted the plaque and rings on behalf of the Parks and Recreation Department. Mr. Sandberg commented, “Wow! Thank you very much.”

7. CONSIDERATION OF AND ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF DEER PARK, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2018; LEVYING A TAX AND PROVIDING FOR THE SECURITY AND PAYMENT THEREOF; AND ENACTING OTHER PROVISIONS RELATING THERETO – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilman Patterson to adopt on first and final reading of Ordinance No.4020, captioned as follows:

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

Motion carried 7 to 0.

8. CONSIDERATION OF AND ACTION ON APPOINTING THE CITY’S REPRESENTATIVE TO AN ARBITRATION COMMITTEE – Motion was made by

Councilwoman Garrison and seconded by Councilman Patterson to appointing the City's Representative, Scott Combs, to an Arbitration Committee. Motion carried 7 to 0.

9. CONSIDERATION OF AND ACTION ON AUTHORIZATION FOR AN AMENDMENT TO UTILIZE THE EXISTING UNENCUMBERED FUNDS FROM THE MAXWELL ADULT CENTER PROJECT FOR THE PURCHASE AND INSTALLATION OF SECURITY CAMERA EQUIPMENT FROM LENSEC STRUCTURED CABLING TO CITY COUNCIL – Motion was made by Councilman Ginn and seconded by Councilman Patterson to authorize an amendment to utilize the existing unencumbered funds from the Maxwell Adult Center project for the purchase and installation of security camera equipment from Lensec structured cabling to City Council. Motion carried 7 to 0.
10. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO UTILIZE EXISTING UNENCUMBERED FUNDS FROM THE MAXWELL ADULT CENTER PROJECT FOR AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES FOR ADDITIONAL CONSTRUCTION PHASE SERVICES DUE TO THE EXTENDED CONSTRUCTION SCHEDULE – Motion was made by Councilman Patterson and Councilwoman Sinor to authorize the utilization of existing unencumbered funds from the Maxwell Adult Center project for an amendment to the professional services agreement with Halff Associates for additional construction phase services due to the extended construction schedule. Motion carried 7 to 0.
11. CONSIDERATION OF AND ACTION ON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BRINKLEY SARGENT WIGINGTON ARCHITECTS FOR A NEEDS ASSESSMENT STUDY FOR A NEW COMMUNITY CENTER – Motion was made by Councilman Harrison and seconded by Councilman Ginn to authorize a professional services agreement with Brinkley Sargent Wigington Architects for a needs assessment study for a new Community Center. Motion carried 7 to 0.
12. CONSIDERATION OF AND ACTION ON AUTHORIZING NEGOTIATION OF A PROPOSED PROFESSIONAL SERVICE AGREEMENT WITH BURDITT CONSULTANTS FOR THE DEVELOPMENT OF HIKE AND BIKE TRAILS – Motion was made by Councilman Ginn and seconded by Councilman Patterson to authorize a negotiation of a proposed professional service agreement with Burditt Consultants for the development of hike and Bike Trails. Motion carried 7 to 0.
13. CONSIDERATION OF AND ACTION ON AN AMENDMENT TO THE AGREEMENT WITH THE CRIME CONTROL PREVENTION DISTRICT (CCPD) FOR PERSONNEL, VEHICLES, FACILITIES, EQUIPMENT, AND INVESTMENTS – No action taken, approved at previous meeting.
14. CONSIDERATION OF AND ACTION ON AN AMENDMENT TO THE AGREEMENT WITH THE FIRE CONTROL, PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT (FCPEMSD) FOR PERSONNEL, VEHICLES, FACILITIES,

EQUIPMENT, AND INVESTMENTS – No action taken, approved at previous meeting.

15. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE FIVE (5) CHEVY TAHOES FROM RELIABLE CHEVROLET THROUGH THE TARRANT COUNTY COOPERATIVE PURCHASING AGREEMENT (CCPD FUNDED) – Motion was made by Councilwoman Garrison and seconded by Councilman Patterson to authorize the purchase of five (5) Chevy Tahoes from Reliable Chevrolet through the Tarrant County Cooperative Purchasing Agreement (CCPD funded). Motion carried 7 to 0.
16. CONSIDERATION OF AND ACTION ON THE PURCHASE OF EMERGENCY EQUIPMENT TO OUTFIT FIVE (5) CHEVROLET TAHOES (CCPD) – Motion was made by Councilman Ginn and seconded by Councilman Patterson the purchase of emergency equipment to outfit five (5) Chevrolet Tahoes (CCPD). Motion carried 7 to 0.
17. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE A 2019 FORD REGULAR CAB DRW WITH CHASSIS FOR THE STREET MAINTENANCE DEPARTMENT THROUGH THE H-GAC COOPERATIVE PURCHASING PROGRAM – Motion was made by Councilman Patterson and seconded by Councilwoman Sinor on authorization to purchase a 2019 Ford regular cab DRW with chassis for the Street Maintenance Department through the H-GAC Cooperative Purchasing Program. Motion carried 7 to 0.
18. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE A 2019 WILKENS OPEN TOP 45-FOOT WALKING FLOOR TRAILER WITH HYDRAULIC TOP FOR THE SANITATION DEPARTMENT THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM – Motion was made by Councilman Patterson and seconded by Councilman Martin on authorization to purchase a 2019 Wilkens Open Top 45-Foot Walking Floor Trailer with hydraulic top for the Sanitation Department through the Buy Board Cooperative Purchasing Program. Motion carried 7 to 0.
19. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE A 2019 CHEVROLET 3500HD SILVERADO 4X2 CREW CAB FOR THE PARK MAINTENANCE DEPARTMENT THROUGH THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM – Motion was made by Councilman Ginn and seconded by Councilwoman Sinor on authorization to purchase a 2019 Chevrolet 3500HD Silverado 4x2 Crew Cab for the Park Maintenance Department through the Houston-Galveston Area Council Cooperative Purchasing Program. Motion carried 7 to 0.
22. CONSIDERATION OF AND ACTION ON AN ORDINANCE RESCHEDULING THE JANUARY 1, 2019 REGULAR CITY COUNCIL MEETING TO JANUARY 8, 2019 – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt on first and final reading of Ordinance No.4021, captioned as follows:

AN ORDINANCE RESCHEDULING THE REGULAR COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS; DESIGNATING ANOTHER TIME FOR SAID MEETING TO BE HELD; AND DECLARING AN EMERGENCY

Motion carried 7 to 0.

23. CONSIDERATION OF AND ACTION ON AN ORDINANCE RELATED TO SEISMIC TESTING 2019 – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt on first and final reading of Ordinance No.4022, captioned as follows:

AN ORDINANCE AMENDING SECTION 102-200 OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK, TEXAS, PROVIDING FOR GEOPHYSICAL MINERAL EXPLORATION AND TESTING; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

24. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING SCHEDULE B TO ADDRESS COMMERCIAL SOLID WASTE FEES – After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Harrison to adopt on first and final reading of Ordinance No.4023, captioned as follows:

AN ORDINANCE AMENDING APPENDIX B (FEE SCHEDULE) OF THE CODE OF ORDINANCES OF THE CITY OF DEER PARK; PROVIDING NEW FEES FOR COMMERCIAL SOLID WASTE DISPOSAL; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

25. CONSIDERATION OF AND ACTION ON AN ORDINANCE ADDING SEC. 22-35 (A)(5), SEC. 22-40 AND SEC. 22-41 TO THE CODE OF ORDINANCES PERTAINING TO RESIDENTIAL SOLICITATION – After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Harrison to adopt on first and final reading of Ordinance No.4024, captioned as follows:

AN ORDINANCE ADDING SECTIONS 22-35 (a)(5), 22-40 AND 22-41 REGULATING RESIDENTIAL SOLICITORS, PEDDLERS OR CANVASSERS; ESTABLISHING REGISTRATION REQUIREMENTS FOR RESIDENTIAL SOLICITORS, PEDDLERS; OR CANVASSERS REGULATING HANDBILLS AND COMMERCIAL FLYERS; PROVIDING PENALTIES FOR VIOLATIONS AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

26. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 CAPITAL IMPROVEMENT FUND BUDGET FOR THE NEW EMS ANNEX – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Sinor to adopt on first and final reading of Ordinance No.4025, captioned as follows:

AN ORDINANCE AMENDING THE 2018-2019 BUDGET FOR THE CITY OF DEER PARK, TEXAS, AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

27. AWARDING BID TO AND AUTHORIZING A CONTRACT WITH COX COMMERCIAL CONSTRUCTION LLC. FOR THE DEER PARK EMS STATION – Motion was made by Councilman Patterson and seconded by Councilwoman Sinor to authorize a contract with Cox Commercial Construction LLC. for the Deer Park EMS Station. Motion carried 7 to 0.

28. CONSIDERATION OF AND ACTION ON AN ORDINANCE TO AMEND THE FISCAL YEAR 2018-2019 WATER & SEWER FUND BUDGET FOR THE WATER TREATMENT PLANT – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Martin to adopt on first and final reading of Ordinance No.4026, captioned as follows:

AN ORDINANCE AMENDING THE 2018-2019 BUDGET FOR THE CITY OF DEER PARK, TEXAS, AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMED; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

29. CONSIDERATION OF AND ACTION ON AN ORDINANCE REMOVING A BOARD MEMBER OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION AND APPOINTING A REPLACEMENT – 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 of ordinance no.4027, captioned as follows:

AN ORDINANCE REMOVING A BOARD MEMBER OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION OF THE CITY OF DEER PARK, TEXAS, AND APPOINTING A REPLACEMENT; AND DECLARING AN EMERGENCY.

Motion carried 7 to 0.

30. ADJOURN – Mayor Mouton adjourned the meeting at 8:01 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Jerry Mouton, Jr.
Mayor