

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1739th 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 AUGUST 20, 2019, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON, JR.  
SHERRY GARRISON  
TJ HAIGHT  
TOMMY GINN  
BILL PATTERSON  
RON MARTIN

MAYOR  
COUNCILWOMAN  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN  
COUNCILMAN

OTHER CITY OFFICIALS PRESENT:

JAY STOKES  
SONIA ACOSTA  
JIM FOX

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 A.J. Frederick.
3. PLEDGE OF ALLEGIANCE – Councilman Martin led the Pledge of Allegiance to the United States Flag and led the Texas Flag Pledge.
4. RECOGNIZE THE DEER PARK 6U TEE-BALL ALL STAR TEAM – Mayor Mouton recognized the team that recently traveled to Youngsville, Louisiana for the World Series tournament. The 6U Tee-Ball All Star Team accomplished these tournaments this summer:  
Champions- Directors Tournament 4-1  
Champions - District Tournament 3-0  
Champions- Section Tournament 3-0  
Champions- Region Tournament 4-0  
World Series Runners-up - World Series Tournament 6-2 Record 20 wins and 3 losses.

The Coaches for the team include Ryan Riddle, Randy Weaver, Billy Upshaw and Eric Delao.

The players include Donavan Ashworth, John Carson, Azan Cuellar, Matthew Delao, Zane Hanna, Kannon Hyland, Castin Perez, Drew Riddle, Justin Saucedo, Asher Upshaw, Randy Weaver and Parker Wilson.

5. SPECIAL PRESENTATION - RECOGNITION OF 2019 PARTICIPANTS OF THE VOLUNTEERS IN PARKS AND RECREATION PROGRAM (VIPAR) – Assistant Parks and Recreation Director Jacob Zuniga and Recreation Specialist Stephen Bibbs presented the 2019 participants of the City of Deer Park’s VIPAR program a certificate from the City in appreciation for their donated hours of service. The participants include Wade Dickens, Liam Stokes, Julian Andrade, Janiah Polina, Angela Ramirez, Armando Jimenez, Hadley Walker, Ali Rodriguez, Oliver Terrero, Zahara Aluna, Sophia Silva, Chloe Giddens, Brooke Cassidy and Reagan Pette.
6. SPECIAL PRESENTATION - RECOGNITION OF 2019 PARTICIPANTS IN THE LIBRARY VOLUNTEERS PROGRAM – Library Director Rebecca Pool presented the 2019 participants of the City of Deer Park’s Library Volunteers Program a certificate from the City in appreciation for their donated hours of service. The participants in attendance that received the certificates include Conor McDaniel, Isaac Vences, Jaci Stokes, John Abou Elias, Larissa Gunn, Marissa Zambrano and Serena Gossett.
7. PUBLIC HEARING ON THE FY 2019-2020 BUDGET – The public hearing was opened by the Deputy City Secretary reading the Notice of Public Hearing. (Exhibit A)

Mayor Mouton called for those desiring to speak in favor of the FY 2019-2020 Budget. No one spoke.

Mayor Mouton called for those desiring to speak against the FY 2019-2020 Budget. No one spoke.

Mayor Mouton closed the Public Hearing.

8. PUBLIC HEARING ON THE CCPD FY 2019-2020 BUDGET – The public hearing was opened by the Deputy City Secretary reading the Notice of Public Hearing. (Exhibit B)

Mayor Mouton called for those desiring to speak in favor of the CCPD FY 2019-2020 Budget. No one spoke.

Mayor Mouton called for those desiring to speak against the CCPD Budget. No one spoke.

Mayor Mouton closed the Public Hearing.

9. PUBLIC HEARING ON THE DEER PARK FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT FY 2019-2020 BUDGET – The public hearing was opened by the Deputy City Secretary reading the Notice of Public Hearing. (Exhibit C)

Mayor Mouton called for those desiring to speak in favor of the FCPEDMSD FY 2019-2020 Budget.

- a. Sam Pipkin, FCPEDMSD President, commented, “You have all seen the background

material and we have had our workshops and public hearings. Chief Don Davis and his Staff did a very good job working on their budget this year. The Fire Control Board has accepted the budget and I urge the City Council to follow suit and accept the budget as presented. ”

Mayor Mouton called for those desiring to speak against FCPMSD FY 2019-2020 Budget. No one spoke.

Mayor Mouton closed the Public Hearing.

10. CONSENT CALENDAR – Motion was made by Councilman Martin and seconded by Councilman Ginn to approve the consent calendar as follows with the exception of agenda item #19 (n) that is to be postponed to a future meeting:
  - a. Approval of minutes of workshop meeting on August 6, 2019.
  - b. Approval of minutes of regular meeting on August 6, 2019.
  - c. Approval of tax refund to Lereta, LLC in the amount of \$963.58 due to an overpayment..
  - d. Approval of tax refund to Lereta, LLC in the amount of \$805.24 due to an overpayment.
  - e. Approval of tax refund to Lereta, LLC in the amount of \$1,029.46 due to an overpayment.
  - f. Approval of tax refund to Sovran Acquisition Limited Partnership in the amount of \$2,137.53 due to a value decrease granted by Harris County Appraisal District.
  - g. Approval of tax refund to Partnership Underwood LP in the amount of \$4,634.04 due to a value decrease granted by Harris County Appraisal District.
  - h. Approval of tax refund to Partnership Underwood LP in the amount of \$2,686.48 due to a value decrease granted by Harris County Appraisal District.
  - i. Approval of tax refund to Luby’s Restaurants LTD in the amount of \$830.10 due to a value decrease granted by Harris County Appraisal District.
  - j. Acceptance of completion of the Water/Sewer Building - Phase II Project.
  - k. Acceptance of the Quarterly Financial Report for the Fiscal Year 2018-2019 third quarter ended June 30, 2019.
  - l. Acceptance of Quarterly Investment Report for the quarter ended June 30, 2019.

- m. Acceptance of completion and retainage release for the Girls Softball Renovations Phase I to Tandem Services, LLC.
- n. Acceptance of the Parks and Recreation Commission Board's recommendation in regards to fundraising options for the Pony Baseball League parking privilege and gate fees for DPISD JV Girls Softball Tournament as a fundraiser.
- o. Authorization to seek bids for the fabrication of the Wastewater Plant clarifier launder covers.
- p. Authorization to seek bids for mowing services for Center Street, 13th Street, Highway 225 and pocket areas.

Motion carried 6 to 0.

11. COMMENTS FROM THE AUDIENCE –

- a. Guynell Gunn, 2014 Willowbend Drive, spoke on behalf of the Westside Manor neighborhood of issues relating to the drainage in that area. Mrs. Gunn expressed details of their concerns of the drainage issue. (Exhibit D)

Mayor Mouton commented, “We are working desperately and making huge investments in that area to address it.”

- b. John Gunn, 4213 Cork, spoke in support of the petition presented to Council. Mr. Gunn commented, “The undersigned demand immediate resolution of the flooding situation in our neighborhood. This area of Deer Park/Pasadena flooded in 2001, during tropical storm, Allison, causing heavy damage to many homes. Apparently, nothing was changed in the way of drainage because 16 years later, Hurricane Harvey caused a repeat of 2001. We were all afraid again this past May, when a heavy rainfall resulted in flooded streets and water in many garages and threatened our doorsteps. After Harvey, we requested a cleanout of Boggy Bayou in the area just south of the golf course, which was grown up with trees and trash. That was done in a very timely manner, but more needs to be done. City Council has contracted with a company to alleviate the drainage problems in several areas of Deer Park. However, our neighborhood is not one of the areas that were presented.”

Mayor Mouton commented, “It is unfortunate, no matter what we say, it doesn't help those that flooded. There is nothing more that I would like personally, than to flip a switch and fix all of this.”

12. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE SERVICES FROM SKE CONSTRUCTION, LLC, THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM TO PERFORM WATERLINE REHABILITATION ON GEORGIA STREET, P STREET, AND INSTALLATION OF NEW 12" VALVES ON CENTER STREET – Motion was made by Councilman Patterson and seconded by Councilman Ginn on authorization to purchase services from SKE

Construction, LLC, through the Buy Board Cooperative Purchasing Program to perform waterline rehabilitation on Georgia Street, P Street and installation of new 12" valves on Center Street. Motion carried 6 to 0.

13. CONSIDERATION OF AND ACTION ON SUBMITTAL OF THE 2019 TAX ROLL AND THE CALCULATION OF THE EFFECTIVE TAX RATE AND THE ROLLBACK TAX RATE – Motion was made by Councilman Patterson and seconded by Councilman Martin on the submittal of the 2019 Tax Roll and the calculation of the Effective Tax Rate and the Rollback Tax Rate. Motion carried 6 to 0.
14. CONSIDERATION OF AND ACTION TO INCREASE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL BY PROPOSING TO ADOPT A TAX RATE OF \$0.720000 PER \$100 VALUATION AT A FUTURE MEETING – Motion was made by Councilwoman Garrison and seconded by Councilman Martin to approve Martin to increase total tax revenues from properties on the tax roll by proposing to adopt a tax rate of \$0.720000 per \$100 valuation at a future meeting. Motion carried 6 to 0 with a record vote:  
  
Councilwoman Garrison "Aye"  
Councilman Haight "Aye"  
Councilman Ginn "Aye"  
Councilman Patterson "Aye"  
Councilman Martin "Aye"  
Mayor Mouton "Aye"
15. CONSIDERATION OF AND ACTION ON ACKNOWLEDGING THE CITY OF DEER PARK'S ACCEPTANCE OF THE CONDITIONAL APPROVAL OF THE 2017 CDBG-DR HURRICANE HARVEY ROUND 1 INFRASTRUCTURE GRANT – Motion was made by Councilwoman Garrison and seconded by Councilman Patterson on acknowledging the City of Deer Park's acceptance of the conditional approval of the 2017 CDBG-DR Hurricane Harvey Round 1 Infrastructure Grant Motion carried 6 to 0.
16. CONSIDERATION OF AND ACTION ON AN ORDINANCE GRANTING A PIPELINE FRANCHISE TO EXXONMOBIL FOR A TWENTY INCH (20") PIPELINE (first reading)  
– After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Martin to adopt on first reading Ordinance No. 4093, captioned as follows:

AN ORDINANCE GRANTING EXXONMOBIL PIPELINE COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS PROPOSED 20-INCH PIPELINE, WHICH WILL BE INSTALLED ALONG THE SOUTH RIGHT-OF-WAY OF STATE HIGHWAY 225, IN THE CITY OF DEER PARK, HARRIS COUNTY, TEXAS, FOR THE PURPOSE OF TRANSPORTING REFINED PETROLEUM PRODUCTS; PROVIDING FOR A FEE; PROVIDING AN INDEMNITY

CLAUSE; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; RESERVING ALL POWERS OF REGULATION; PROVIDING FOR ACCEPTANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY BY FINE OF UP TO \$2,000.00 FOR EACH DAY'S VIOLATION.

Motion carried 6 to 0.

17. CONSIDERATION OF AND ACTION ON AN ORDINANCE APPOINTING AN ALTERNATE MEMBER TO THE BOARD OF ADJUSTMENT – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilman Patterson to adopt Ordinance No. 4094, captioned as follows:

AN ORDINANCE APPOINTING ONE (1) ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION, BOARD OF ADJUSTMENT OF THE CITY OF DEER PARK, TEXAS; SPECIFYING THE TERMS. (Denise Bryan)

Motion carried 6 to 0.

18. CONSIDERATION OF AND ACTION ON AN ORDINANCE APPROVING THE FISCAL YEAR 2019-2020 DEER PARK COMMUNITY DEVELOPMENT CORPORATION BUDGET – After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Ginn to adopt Ordinance No. 4095, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE FISCAL YEAR 2019-2020 BUDGET FOR THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION.

Motion carried 6 to 0.

19. CONSIDERATION OF AND ACTION ON THE RESULTS OF THE PUBLIC HEARING AND AN ORDINANCE ADOPTING THE FY 2019-2020 CRIME CONTROL AND PREVENTION DISTRICT BUDGET – After a proposed ordinance was read by caption, motion was made by Councilman Patterson and seconded by Councilman Ginn to adopt Ordinance No. 4096, captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE FISCAL YEAR 2019-2020 BUDGET FOR THE CRIME CONTROL AND PREVENTION DISTRICT.

Motion carried 6 to 0.

20. CONSIDERATION OF AND ACTION ON THE RESULTS OF THE PUBLIC HEARING AND AN ORDINANCE ADOPTING THE FY 2019-2020 FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT BUDGET – After a proposed ordinance was read by caption, motion was made by Councilwoman Garrison and seconded by Councilman Ginn to adopt Ordinance No. 4097 captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK APPROVING THE FISCAL YEAR 2019-2020 BUDGET FOR THE FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT.

Motion carried 6 to 0.

21. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING TWO PUBLIC HEARINGS ON THE PROPOSED 2019 TAX RATE – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt Ordinance No. 4098 captioned as follows:

AN ORDINANCE OF THE CITY OF DEER PARK SETTING DATES AND TIMES FOR PUBLIC HEARINGS OF THE PROPOSED PROPERTY TAX INCREASE FOR THE YEAR BEGINNING JANUARY 1, 2020.

Motion carried 6 to 0.

22. ADJOURN – Mayor Mouton adjourned the meeting at 8:29 p.m.

ATTEST:

APPROVED:

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Shannon Bennett, TRMC  
City Secretary

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Jerry Mouton, Jr.  
Mayor