

CITY OF DEER PARK

CC 76-272

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes of

THE 1698TH 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 07, 2017, AT 7:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON	MAYOR
THANE HARRISON	COUNCILMAN
TOMMY GINN	COUNCILMAN
BILL PATTERSON	COUNCILMAN
RON MARTIN	COUNCILMAN
RAE SINOR	COUNCILMAN

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 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 RECOGNIZING MUNICIPAL COURT WEEK– Mayor Mouton presented Municipal Court Staff Clerks Kathy Pullig, Kassie Richter and Sara Rios with a proclamation in recognition of 2017 Municipal Court Week and declared November 6<sup>th</sup> – 10<sup>th</sup>, 2017 as Municipal Court Week.
5. PRESENTATION OF THE 2017 PARKS AND RECREATION COMMISSION AWARDS – Art Park Supervisor, Susan Mele presented Sandy Heyen the 2017 Individual of the Year Award. Ms. Mele highlighted the donated amount of hours and work Ms. Heyen has contributed to the Art Park Players for the past 27 years. Ms. Mele continued by recognizing and thanking Jeff Gary, Manager from Dow Chemical, for their generosity and service that Dow Chemical has given the City of Deer Park.

Parks and Recreation Athletics/Aquatics Supervisor, Lacy Stole gave an overview of the generous donations for different athletic and aquatic events from the 2017 Business of the Year recipient, Whataburger.

6. PRESENTATION FROM REPRESENTATIVE BRISCOE CAIN TO ESSENTIAL CITY EMPLOYEES DURING HURRICANE HARVEY – State Representative Briscoe Cain, presented several Public Works employees with a certificate acknowledging the work that was done during Hurricane Harvey. Mr. Cain recognized the Street Maintenance Department, Water/Sewer Maintenance Department and the Sanitation Department for their tireless effort in keeping the City services operational. Public Works Staff, Mike Deweese, Armando Diaz, Tom Fuller, Brent Costlow and Jared Byrd were present to receive their certificates.

Mayor Mouton commented, “These guys are just the tip of the iceberg. There were many City employees across the City that were doing their jobs. It was mentioned that we were one of the best cities in regards to being prepared and having good processes in place. Those processes worked efficiently because we have great employees. As the Mayor, I am so proud. Thank you to all the employees for what you do.”

7. PRESENTATION OF THE 2017 GOLD INTERNATIONAL AQUATIC SAFETY AWARD – Parks and Recreation Director, Charlie Sandberg recognized Parks and Recreation Athletics/Aquatics Supervisor, Lacy Stole and Parks and Recreation Athletics/Aquatics Coordinator, Debra Culp for their admirable and dedicated work on receiving the 2017 Gold International Aquatic Safety Award.

Ms. Stole gave an overview of the audit and graded scenarios the life guards and aquatic staff go through on training and preparedness. This year, the score was in the top 30% and is regarded as the highest degree of swimmers protection.

8. AWARDING BID FOR LEASE PURCHASE OF A NEW PIERCE VELOCITY ASCENDANT 107’ LADDER TRUCK FOR THE FIRE CONTROL PREVENTION EMERGENCY MANAGEMENT SERVICE DISTRICT – Motion was made by Councilwoman Sinor and seconded by Councilman Patterson to award City National Capital Finance for lease purchase of a new Pierce Velocity Ascendant 107’ Ladder Truck for the Fire Control Prevention Emergency Management Service District.

Motion carried 6 to 0.

9. CONSENT CALENDAR – Motion was made by Councilman Patterson and seconded by Councilman Martin to approve the consent calendar as follows with the exception of item NN:
  - a. Approval of minutes of joint meeting on October 09, 2017.
  - b. Approval of minutes of workshop meeting on October 17, 2017.
  - c. Approval of minutes of regular meeting on October 17, 2017.

- d. Approval of tax refund to Allied Deer Park Bank in the amount of \$517.21 due to a value decrease granted by Harris County Appraisal District.
- e. Approval of tax refund to Deer Park Tx I & II LP in the amount of \$871.15 due to a value decrease granted by Harris County Appraisal District.
- f. Approval of tax refund to CA New Plan Fixed Rate Partnership LP in the amount of \$561.04 due to a value decrease granted by Harris County Appraisal District.
- g. Approval of tax refund to Clay Partners in the amount of \$3,312.00 due to a value decrease granted by Harris County Appraisal District.
- h. Approval of tax refund to Clay Partners in the amount of \$1,746.19 due to value decrease granted by Harris County Appraisal District.
- i. Approval of tax refund to Clay Real Estate Holdings #3 LP in the amount of \$1,748.57 due to a value decrease granted by Harris County Appraisal District.
- j. Approval of tax refund to Clay Partners in the amount of \$604.80 due to a value decrease granted by Harris County Appraisal District.
- k. Approval of tax refund to Clay Partners in the amount of \$977.40 due to a value decrease granted by Harris County Appraisal District.
- l. Approval of tax refund to Clay Partners in the amount of \$7,118.29 due to a value decrease granted by Harris County Appraisal District.
- m. Approval of tax refund to Wells Fargo Home Mortgage in the amount of \$563.86 due to a homestead exemption granted by Harris County Appraisal District.
- n. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$5,610.37 due to a value decrease granted by Harris County Appraisal District.
- o. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$841.56 due to a value decrease granted by Harris County Appraisal District.
- p. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$613.60 due to a value decrease granted by Harris County Appraisal District.
- q. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$1,483.20 due to a value decrease granted by Harris County Appraisal District.
- r. Approval of tax refund to Popp Gray & Hutcheson LLP in the amount of \$1,473.85 due to a value decrease granted by Harris County Appraisal District.

- s. Approval of tax refund to Hydraight in the amount of \$1,483.29 due to a value decrease granted by Harris County Appraisal District.
- t. Approval of tax refund to Sanwood Investment in the amount of \$3,967.04 due to a value decrease granted by Harris County Appraisal District.
- u. Approval of tax refund to Gordon Partners Management, LLC in the amount of \$536.72 due to a value decrease granted by Harris County Appraisal District.
- v. Approval of tax refund to Chick-Fil-A in the amount of \$2,101.81 due to a value decrease granted by Harris County Appraisal District.
- w. Approval of tax refund to National Tax Search in the amount of \$1,814.40 due to a value decrease granted by Harris County Appraisal District.
- x. Approval of tax refund to National Tax Search in the amount of \$2,759.52 due to a value decrease granted by Harris County Appraisal District.
- y. Approval of tax refund to National Tax Search in the amount of \$1,480.64 due to a value decrease granted by Harris County Appraisal District.
- z. Approval of tax refund to National Tax Search in the amount of \$5,760.00 due to a value decrease granted by Harris County Appraisal District.
- aa. Approval of tax refund Dimple Patel in the amount of \$3,543.21 due to a value decrease granted by Harris County Appraisal District.
- bb. Approval of tax refund to W.W. Grainger Inc. in the amount of \$1,800.00 due to a value decrease granted by Harris County Appraisal District.
- cc. Approval of tax refund to Farid Sadeghain in the amount of \$839.74 due to a value decrease granted by Harris County Appraisal District.
- dd. Approval of tax refund to Hydrochem LLC in the amount of \$34,669.63 due to a value decrease granted by Harris County Appraisal District.
- ee. Approval of tax refund to Banc of America Leasing & Capital Group in the amount of \$686.54 due to a value decrease granted by Harris County Appraisal District.
- ff. Approval of tax refund to Tompkins W. Woodruff in the amount of \$651.23 due to a value decrease granted by Harris County Appraisal District.
- gg. Approval of tax refund to Deer Park Station LTD in the amount of \$4,380.07 due to a value decrease granted by Harris County Appraisal District.

- hh. Approval of tax refund to W.D. Lawther in the amount of \$804.75 due to a value decrease granted by Harris County Appraisal District.
- ii. Approval of tax refund to Juan and Trinidad Rodriguez in the amount of \$613.94 due to a value decrease granted by Harris County Appraisal District.
- jj. Authorization to purchase five (5) 2018 Chevrolet Tahoes Police Pursuit vehicle (PPV) 2 wheel drive vehicles, three (3) 2017 Ford Taurus SE vehicles through Tarrant County Cooperative Purchasing Program, and all attached Police equipment through the Buy Board Purchasing Program using 2017/18 budgeted funds through the Crime Control Prevention District.
- kk. Authorization to advertise and receive bids for the 2016 Street Bond Project- West 9<sup>th</sup> Street, West 12<sup>th</sup> Street, Ridgeway Street off of Arbor and Amherst/Brown Lane.
- ll. Authorization to seek bids for a one (1) year supply with an additional two (2) year renewal of Pulsar Plus Calcium Hypochlorite Briquettes or equivalent.
- mm. Acceptance of completion and retainage release for the Erin Glen Court Storm and Sewer Upsizing Project.

Motion carried 6 to 0.

- 10. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE FROM SKE CONSTRUCTION, LLC THROUGH THE BUY BOARD COOPERATIVE PURCHASING PROGRAM TO PERFORM THE WATER/SEWER BUILDING DRIVEWAY PROJECT – Motion was made by Councilman Martin and seconded by Councilman Patterson to authorize to purchase from SKE Construction, LLC through the Buy Board Cooperative Purchasing Program to perform the Water/Sewer Building Driveway Project. Motion carried 6 to 0.
- 11. CONSIDERATION OF AND ACTION ON A REFERRAL TO THE PLANNING AND ZONING COMMISSION FOR A SPECIFIC USE PERMIT FROM THE REQUEST OF SANWOOD INVESTMENT, LP TO CONSTRUCT A WAREHOUSE – Motion was made by Councilman Harrison and seconded by Councilman Patterson to refer to the Planning and Zoning Commission a Specific Use Permit request from Sanwood Investment, LP to construct a warehouse. Motion carried 6 to 0.
- 12. CONSIDERATION OF AND ACTION ON AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE NEW LADDER TRUCK FROM METRO FIRE APPARATUS SPECIALISTS – Motion was made by Councilman Harrison and seconded by Councilman Patterson to authorize the purchase of equipment for the new ladder truck from Metro Fire Apparatus Specialists. Motion carried 6 to 0.

13. CONSIDERATION OF AND ACTION ON A RESOLUTION TO UPDATE THE PERSONNEL MANUAL CHAPTER III, PROBATIONARY PERIOD – After a proposed resolution was read by caption, motion was made by Councilman Martin and seconded by Councilman Patterson to approve Resolution No. 2017-20, captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK REVISING THE PERSONNEL POLICY MANUAL OF THE CITY OF DEER PARK BY AMENDING PERSONNEL MANUAL CHAPTER 111 (A) PROBATIONARY PERIOD FOR POLICE OFFICERS AND TELECOMMUNICATORS.

Motion carried 6 to 0.

14. CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY OF DEER PARK, TEXAS CASTING ITS BALLOT FOR THE ELECTION OF A PERSON TO THE BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT – After a proposed resolution was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Sinor to approve Resolution No. 2017-21, captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK CASTING IT'S BALLOT FOR THE BOARD OF DIRECTORS OF THE HARRIS COUNTY APPRAISAL DISTRICT.

Motion carried 6 to 0.

15. 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 Councilman Martin and seconded by Councilwoman Sinor to approve Ordinance No. 3936, 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 5 to 0 with Councilman Harrison abstaining due to a personal conflict of interest. (Exhibit A)

16. CONSIDERATION OF AND ACTION ON AN ORDINANCE TO AMEND THE FY 2017-2018 BUDGET FOR PARK MAINTENANCE FOR THE PURCHASE OF A FORD EXPLORER – After a proposed ordinance was read by caption, motion was made by Councilwoman Sinor and seconded by Councilman Martin to approve Ordinance No. 3937, captioned as follows:

AN ORDINANCE AMENDNG THE 2017-2018 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 6 to 0.

17. CONSIDERATION OF AND ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF DEER PARK, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2017-A; LEVYING A TAX AND PROVIDING FOR THE SECURITY AND PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Sinor to approve Ordinance No. 3938, captioned as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF DEER PARK, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2017-A; LEVYING A TAX AND PROVIDING FOR THE SECURITY AND PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO.

Motion carried 6 to 0.

18. CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING THE FY 2017-2018 WATER AND SEWER FUND – After a proposed ordinance was read by caption, motion was made by Councilman Martin and seconded by Councilwoman Sinor to approve Ordinance No. 3939, captioned as follows:

AN ORDINANCE AMENDING THE 2017-2018 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 6 to 0.

19. CONSIDERATION OF AND ACTION ON AN ORDINANCE TO AMEND THE FY 2017-2018 CAPITAL IMPROVEMENT FUND BUDGET FOR COSTS RELATED TO THE CONSTRUCTION OF THE GIRLS SOFTBALL COMPLEX RENOVATION AND THE NEW SOCCER COMPLEX – After a proposed ordinance was read by caption, motion was made by Councilwoman Sinor and seconded by Councilman Harrison to approve Ordinance No. 3940, captioned as follows:

AN ORDINANCE AMENDING THE 2017-2018 CAPITAL IMPROVEMENT FUND 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 6 to 0.


20. CONSIDERATION OF AND ACTION ON AN ORDINANCE TO AMEND THE FY 2017-2018 BUDGET FOR THE LIBRARY FOR SMALL TOOLS AND MINOR EQUIPMENT – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilwoman Sinor to approve Ordinance No. 3941, captioned as follows:

AN ORDINANCE AMENDING THE 2017-2018 BUDGET FOR THE CITY OF DEER PARK, TEXAS, AND APPROPRIATING THE SUMS SET UP THEREIN TO THE OBJECTS AND PURPOSES THEREIN NAMES; AND DECLARING AN EMERGENCY.

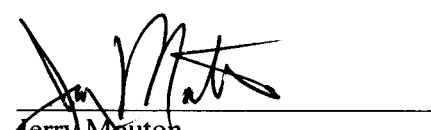
Motion carried 6 to 0.

21. AWARDING BID FOR THE SOUTH LIFT STATION DISCHARGE HEADER MODIFICATION PROJECT – Motion was made by Councilman Martin and seconded by Councilman Patterson to award the bid for the South Lift Station Discharge Header Modification Project to LEM Construction Company Inc. Motion carried 6 to 0.
22. AWARDING BID FOR THE RENOVATIONS OF THE GIRLS SOFTBALL FACILITIES AND THE YOUTH SPORTS COMPLEX – Motion was made by Councilman Harrison and seconded by Councilman Patterson to award the bid for the Girls' Softball Facilities at the Youth Sports Complex to Tandem Services. Motion carried 6 to 0.
23. AWARDING BID FOR THE DEVELOPMENT OF THE SOCCER FIELDS – Motion was made by Councilman Patterson and seconded by Councilman Martin to award the bid for the development of the Soccer fields to Tandem Services. Motion carried 6 to 0.
24. ADJOURN – Mayor Mouton adjourned the meeting at 8:09 p.m.

ATTEST:

  
Shannon Bennett, TRMC  
City Secretary

APPROVED:

  
Jerry Mouton  
Mayor



CONFLICT OF INTEREST AFFIDAVIT

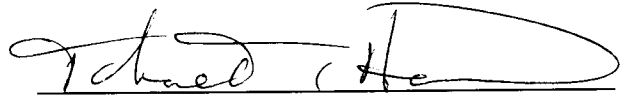
I, Thane Harrison, am a member of the  
Deer Park City Council of the City of  
Deer Park, Texas, and as such I am subject to the restrictions and limitations set forth in Section  
171.001 through 171.009 of the Texas Local Government Code.

The official agenda for the meeting of the City Council (1698th) of the City of  
Deer Park currently scheduled for November 7, 2017, reflects that an item will be presented for  
formal consideration in which I must be precluded from participation pursuant to the provisions of  
state law. Agenda Item No. 52 of the November 7, 2017  
Agenda, entitled:


Consideration of and action on an ordinance amending Schedule B for Solid Waste Fees  
which relates to a specific piece of property or a business entity in which I have a substantial  
interest as defined pursuant to Section 171.002 Local Government Code. The substantial interest  
which precludes my participation is as follows:

Employee retired form Waste Management (currently consulting for WM)

Pursuant to the provisions of Section 171.001 et seq. of the Texas Local Government Code, I  
hereby declare my disqualification to participate in the debate, discussion or vote relating to this  
agenda item.

  
(Signature of Affiant)

SUBSCRIBED and SWORN (Affirmed) to before me on this 7<sup>th</sup> day  
of November, 2017.

  
City Secretary

Shannon Bennett, TRMC  
Name Typed or Printed