

CITY OF DEER PARK

CDC 1-189

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

THE REGULAR MEETING OF THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS HELD AT THE DEER PARK COUNCIL CHAMBERS, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS, OCTOBER 22, 2018 AT 5:30 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

T.J. HAIGHT
GEORGETTE FORD
DOUG BURGESS
JEFF LAWThER
LAURA HICKS
SHANNON BENNETT
DONNA TODD

PRESIDENT
VICE PRESIDENT
MEMBER
MEMBER
MEMBER
BOARD SECRETARY
TREASURER

OTHER OFFICIALS PRESENT:

GARY JACKSON

ASSISTANT CITY MANAGER

1. MEETING CALLED TO ORDER – President T.J. Haight called the meeting to order at 5:30 p.m.
2. ANNOUNCEMENT OF APPOINTMENTS TO THE BOARD OF DIRECTORS – President, T.J. Haight, reported that as of October 16, 2018, the Deer Park City Council re-appointed T.J. Haight to Position 2, and Jeff Lawther to Position 4. In addition, Laura Hicks was appointed to Position 6.
3. APPROVAL OF MINUTES OF REGULAR MEETING ON JULY 23, 2018 – Motion was made by Georgette Ford and seconded by Doug Burgess to approve the minutes of the regular meeting on July 23, 2018. Motion carried unanimously.
4. APPROVAL OF MINUTES OF JOINT MEETING ON JULY 23, 2018 – Motion was made by Doug Burgess and seconded by Georgette Ford to approve the minutes of the joint meeting on July 23, 2018. Motion carried unanimously.

5. CONSIDERATION OF AND ACTION ON THE ANNUAL REVIEW AND AN ORDER TO ADOPT THE INVESTMENT POLICY FOR THE DEER PARK COMMUNITY DEVELOPMENT CORPORATION – Treasurer, Donna Todd discussed the annual review of the investment policy. The Corporation has elected to comply with the Act and has established a policy comparable to the investment policy of the City. The City has recently updated and adopted its investment policy in accordance with the Act making several minor changes, including further clarification of the 2017 legislative changes incorporated in the last update. These changes have been incorporated in the Corporation's investment policy and are summarized on the attached Deer Park Community Development Corporation Investment Policy Review. (Exhibit A1)

Motion was made by Georgette Ford and seconded by Jeff Lawther to adopt the investment policy for the Deer Park Community Development Corporation. Motion carried unanimously.

6. DISCUSSION OF ISSUES RELATING TO THE CURRENT STATUS OF DEER PARK COMMUNITY DEVELOPMENT CORPORATION PROJECTS – Parks and Recreation Director, Charlie Sandberg gave a detailed update on the DPCDC projects that included Dow Park Pavilion, Maxwell Adult Center, Girls Softball Complex, Soccer Complex, Community Center, Hike and Bike Trails and the Spencerview Athletic Complex. (Exhibit B1-B2)

Assistant City Manager, Gary Jackson commented, "There was just a lot of detailed information that we found out about the Community Center building. It has some very serious structural problems that you all have heard in detail. We have a path forward, that will be presented in the future."

Mr. Sandberg responded, "I apologize that there is not any more information on the building."

7. DISCUSSION OF ISSUES RELATING TO ADDITIONAL EXPENSES AND FUNDING FROM THE MAXWELL ADULT CENTER UNENCUMBERED BALANCE – Parks and Recreation Director, Charlie Sandberg gave an overview of the additional expenses and funding for the Maxwell Adult Center. During the renovations, additional costs have occurred that have impacted the project's budget. Moving forward with using the unencumbered funds for the expenses of the purchase of the security camera equipment for the Maxwell Center to include installation and the additional cost for the extended architectural fees is being proposed.

8. CONSIDERATION OF AND POSSIBLE ACTION ON THE QUARTERLY REPORT FOR THE PERIOD OF JULY 1, 2018 – SEPTEMBER 30, 2018 – Motion was made by Georgette Ford and seconded by Laura Hicks to approve the quarterly report for the period of July 1, 2018 – September 30, 2018. (Exhibit C1-C5)

Assistant City Manager Gary Jackson commented, "This gives you a highlight of all the meetings and activities as well as the financial report combined. The report is cumulative for the 2017-2018 fiscal year."

Motion carried unanimously.

9. CONSIDERATION OF AND ACTION ON AUTHORIZATION AND RECOMMENDATION TO CITY COUNCIL 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 – Parks and Recreation Director, Charlie Sandberg gave an overview of the funds that will be utilized to cover project costs associated with the purchase of security camera equipment for the Maxwell Adult Center that includes installation.

Motion was made by Doug Burgess and seconded by Georgette Ford to recommend to City Council 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. Motion carried unanimously.

10. CONSIDERATION OF AND ACTION ON RECOMMENDING TO CITY COUNCIL TO TERMINATE TASK ORDER NO. 16-005-A WITH HALFF ASSOCIATES FOR THE COMMUNITY CENTER AND GYMNASIUM – PHASE I PROGRAMMING – Parks and Recreation Director, Charlie Sandberg discussed the termination of Task Order No. 16-1005. The consensus of the discussion at the September 24, 2018 joint meeting was that options for a new facility should be explored rather than continuing to pursue renovation/repairs of the existing Community Center facility. Since, Task Order No. 16-005-A was for programming of the existing Community Center and Gymnasium, it is recommended that the Task Order be terminated.

Mr. Sandberg commented, “We really feel that there are so many projects that are going on right now. We would like for Halff and Associates to focus solely on our softball and soccer project and to complete the Maxwell Adult Center project. We would like to move forward with another company to fulfill the obligation of the Community Center Project.”

Assistant City Manager, Gary Jackson commented, “The professional fees, including reimbursables and the task order for the Community Center and the Gym were at \$27, 200.00. There was an overall master agreement, called “prime agreements”, that really didn’t have any costs associated with it. All the costs were identified through individual task orders by project. The amounts are for professional services, not construction. There was a small amount of programming that was done with Staff early on with the Architect. The vast majority of the work was done by Brinkley, Sargent, Wigington Architects, of which Mr. Steven Springs is the sub-consultant. The recommendation would be that the remainder of this task order be terminated. Per the joint meeting with Council and the Parks and Recreation Commission, we are recommending a contract now directly with Steven Springs and Brinkley Sargent, Wigington Architects and look at alternatives for a new building rather than

renovating the current building. This would be for the design and programming phase only.”

Vice President, Georgette Ford asked, “Is there a fine or fee for terminating without cause?”

Mr. Jackson responded, “No. They have already been compensated for the services they have provided.”

Motion was made by Doug Burgess and seconded by Laura Hicks to recommend to City Council to terminate Task Order No. 16-005-A with Halff and Associates for the Community Center and Gymnasium-Phase I Programming. Motion carried unanimously.

11. CONSIDERATION OF AND ACTION ON RECOMMENDING TO CITY COUNCIL TO AUTHORIZE NEGOTIATING A PROFESSIONAL SERVICES AGREEMENT WITH BRINKLEY SARGENT WIGINGTON ARCHITECTS FOR PROGRAMMING SERVICES ASSOCIATED WITH THE COMMUNITY CENTER AND GYMNASIUM – Parks and Recreation Director, Charlie Sandberg discussed the company Brinkley Sargent Wigington Architects and their outstanding work done within the State of Texas. Brinkley, Sargent, Wigington has an extensive background in the programming and architectural services of recreational facilities.

President Haight asked, “Have we ever worked with them before?”

Mr. Sandberg responded, “No. In our profession, our peers have.”

Jeff Lawther asked, “Did Halff and Associates bring in Brinkley, Sargent, Wigington Architects?”

Mr. Sandberg responded, “Yes.”

Motion was made by Georgette Ford and seconded by Jeff Lawther to recommend to City Council to authorize negotiating a professional services agreement with Brinkley, Sargent, Wigington Architects for programming services associated with the Community Center and Gymnasium. Motion carried unanimously.

12. CONSIDERATION OF AND ACTION ON RECOMMENDING TO CITY COUNCIL TO TERMINATE TASK ORDER NO. 16-007 WITH HALFF ASSOCIATES FOR THE DEVELOPMENT OF HIKE AND BIKE TRAILS – Parks and Recreation Director, Charlie Sandberg discussed the reasoning behind the termination recommendation of the task order with Halff and Associates for the development of the Hike and Bike Trails. Mr. Sandberg commented, “The position we are taking on this, is that with all the projects that are being worked on will bring fresh blood to the table. We feel like we can have some real genuine architects to come in with this, maybe the same people that did our nature trail. It is just due to us feeling like they can concentrate on one project and we feel it would be regulated a lot better and have a lot better outcome.”

Laura Hicks asked, "What is the \$47,500 for? Was it already paid to them?"

Mr. Sandberg responded, "That is the amount it was budgeted for. There has been no money paid to them yet."

Georgette Ford asked, "There isn't any money we have to reimburse them as of now?"

Mr. Sandberg responded, "No."

Georgette Ford asked, "Are we developing a bad relationship with Halff and Associates?"

Assistant City Manager, Gary Jackson commented, "The contract was written this way, so there is no penalty. We have the right to do this, and we feel it is in the best interest of the taxpayers and citizens to proceed in this manner."

Motion was made by Doug Burgess and seconded by Georgette Ford to recommend to City Council to terminate Task Order No. 16-007 with Halff Associates for the development of hike and bike trails. Motion carried unanimously.

13. CONSIDERATION OF AND ACTION ON RECOMMENDING TO CITY COUNCIL TO AUTHORIZE SOLICITATION OF STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL SERVICES RELATED TO THE DEVELOPMENT OF HIKE AND BIKE TRAILS – Parks and Recreation Director, Charlie Sandberg discussed the process of selecting an architectural service for this project that includes a recommendation to City Council to solicit qualifications of professional services related to the development of Hike and Bike Trails from the Board.

Vice President, Georgette Ford asked, "Do we have any idea about the money from the State?"

Mr. Sandberg responded, "This project is not associated with the State funding."

Assistant City Manager, Gary Jackson commented, "Just to point out, the Hike and Bike is one of the cash projects under the Type B Projects. The majority of the other projects were funded through the Certificates of Obligations."

Motion was made by Georgette Ford and seconded by Jeff Lawther to recommend to Council to authorize solicitation of statements of qualifications for professional services related to the development of Hike and Bike Trails. Motion carried unanimously.

14. CONSIDERATION OF AND ACTION ON AUTHORIZATION AND RECOMMENDATION TO CITY COUNCIL 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 – Parks and Recreation Director, Charlie Sandberg discussed additional services due to the Contractor's increased extended construction schedule and the need to continue professional construction administration services to project completion, anticipated for November 2018. That contractor is Steven Springs of Brinkley, Sargent, Wigington Architects.

Jeff Lawther asked, "Is this \$14,000 that comes out of the remaining \$38,000?"

Mr. Sandberg responded, "Yes. We will still have \$24,000 left in the unencumbered account."

Mr. Lawther asked, "Do you anticipate needing that money?"

Mr. Sandberg responded, "I will not stand here and say "never". There isn't anything on the table right now, but we do the walk through tomorrow. We will find out if there might be anything that may sneak up on us. We do not foresee anything at this point."

Mr. Lawther asked, "Does that money become available for other projects?"

Mr. Sandberg, "Yes, it may be used for other projects."

Mr. Jackson commented, "The way it was set up is, once it is completed, if there are funds available, it could be used for another existing and approved Type B project."

Mr. Jackson asked, "Is there still some contractual days that are still pending with the contractor?"

Mr. Sandberg commented, "There are some contractual days that is another expense that will cost between \$10,000 to \$14,000. This expense is on the table to cover the rain days and extended days."

Laura Hicks asked, "Can the extra money be rolled over to the cash for the Hike and Bike Trail project?"

Mr. Sandberg responded, "Yes, it can be."

Mr. Lawther asked, "Were any of these projects built in with penalties for late completion?"

Mr. Jackson responded, "The term for that is "liquidated damages", I do not believe the Dow Park Project contract had liquidated damages. I am not sure of the soccer field and softball fields project contracts have that either. Liquidated damages were in the Maxwell Adult Center contract, but they were not invoked because it was issues beyond the City's control."

President Haight asked, "If we have to get furniture or equipment for the Maxwell Adult Center, is that included?"

Mr. Sandberg responded, "Yes, we did budget for that."

15. ADJOURN – President Haight adjourned the meeting at 6:04 p.m.

ATTEST:



Shannon Bennett
Board Secretary

APPROVED:



T.J. Haight, President
Deer Park Community Development Corporation

