

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 FCPEMSD FY 2019-2020 Budget.

- a. Sam Pipkin, FCPEMSD 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 FCPEMSD 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

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.

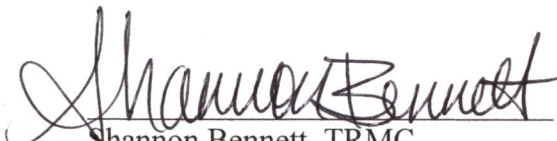
21. CONSIDERATION OF AND ACTION ON AN ORDINANCE CALLING TWO PUBLIC HEARINGS ON THE PROPOSED 2019 TAX RATE – After a proposed ordinance was read by caption, motion was made by Councilman Ginn and seconded by Councilman Patterson to adopt Ordinance No. 4098 captioned as follows:

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:


Shannon Bennett, TRMC
City Secretary

APPROVED:


Jerry Mouton, Jr.
Mayor

NOTICE OF BUDGET HEARING

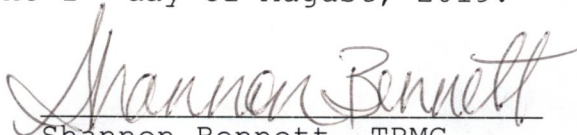
The City Council of the City of Deer Park, Texas has called a Public Hearing, to be held at 7:30 p.m. on the 20th day of August, 2019, in the City Council Chambers of City Hall, 710 East San Augustine Street, at which time and place they will hear all persons desiring to be heard on or in connection with any matter or question involving the proposed Budget for said City for the year beginning October 1, 2019, which has been filed with the City Secretary and is available for inspection by all interested persons.

The proposed budget for FY 2019-2020 reflects the following levels of revenues and expenditures:

	<u>Revenues</u>	<u>Expenditures</u>
General Fund	\$ 45,492,260	\$ 45,492,260
Water & Sewer Fund	\$ 12,849,201	\$ 12,849,201
Debt Service Fund	\$ 5,878,181	\$ 5,878,181
Special Revenue Fund	\$ 2,221,523	\$ 2,219,726
Capital Improvements Fund	\$ 4,541,250	\$ 4,541,250
Storm Water Fund	\$ 597,694	\$ 594,299
Golf Course Lease Fund	\$ 361,300	\$ 361,300
Chapter 380 Reimbursement Fund	\$ 130,000	\$ 130,000
TOTAL BUDGET	\$ 72,071,409	\$ 72,066,217

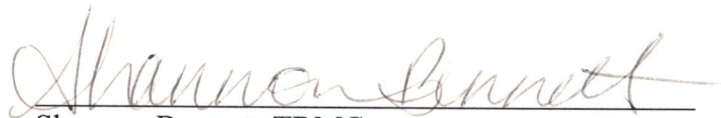
This budget is estimated to raise more total property taxes than last year's budget by \$980,922, an increase of 5.2%. Based on taxable value information currently available from the Harris County Appraisal District, it is not possible at this time to determine the amount of this additional property tax revenue to be raised from new property added to the roll this year.

DATED AT Deer Park, Texas, the 1ST day of August, 2019.


Shannon Bennett, TRMC
City Secretary

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Deer Park, Texas will hold a Public Hearing at City Hall, 710 East San Augustine Street, Deer Park, Harris County, Texas, on August 20, 2019 at 7:30 p.m. at which time and place they will hear all persons desiring to be heard on or in connection with any matter or questions regarding the proposed FY 2019-2020 Crime Control and Prevention District Budget.

A handwritten signature in cursive script, reading "Shannon Bennett", written over a horizontal line.

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
July 17, 2019

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Deer Park, Texas will hold a Public Hearing at City Hall, 710 East San Augustine Street, Deer Park, Harris County, Texas, on August 20, 2019, at 7:30 p.m. at which time and place they will hear all persons desiring to be heard on or in connection with any matter or questions regarding the proposed FY 2019-2020 Fire Control, Prevention and Emergency Medical Services District Budget.


Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
July 17, 2019

Good evening,

My name is Guynell Gunn. I am a long-time resident of Deer Park and own a home at 2014 Willowbend Drive in the Westside Manor neighborhood.

Before I begin, I want to thank each member of the council for your time, effort and commitment to our city. You are appreciated and I mean absolutely no disrespect as I address you this evening.

I also want to thank the folks who have attended tonight's session in support of this issue. Yes, our neighborhood has a very pressing issue – water drainage (or the lack of it)

Westside Manor was built in the mid 70's. At that time there was no concern about drainage. During those years there were many storms, hurricanes and heavy rains, but no problems with flooding was experienced. For some 30 years, the drainage was sufficient. When we purchased our home in 1991, flood insurance was not required or even considered. Then one evening in June of 2001 Tropical Storm, Allison, came inland, and dumped gallons of water. However, the drains seemed adequate and the water was rushing down the street and not even over the curbs when I last looked around midnight. Then at 2:00 a.m. something drastic had happened, because it was in my house! Of course, the rest is history and many homes were destroyed by the next morning. Fast forward to 2017 and Hurricane Harvey, and history repeated itself with a vengeance. I understand that that was a 100-year flood and that millions of neighborhoods were flooded all over a wide area. However, there were neighborhoods right here in Deer Park that did not flood, too, because the drainage was adequate to move that water.

Needless to say, this problem is getting worse each year. Some of the people in Westside Manor even experienced high water during the heavy rain that fell last May. Quite a few had water in garages up to back doors and several had water in their houses again. Having to rebuild homes is only part of the problem – insurance rates have gone out of reach and trying to sell a home is futile.

The City of Deer Park has indicated that drainage north of San Augustine Street goes primarily into Boggy Bayou North. Apparently it becomes too full downstream of our area to take the effluent from our neighborhood. The large drainage ditch just south of the golf course doesn't even flow constantly. *Passadene*

When we spoke to PTR, they said they had experienced no flooding at their railroad trestles which cross the bayou. We have requested flooding records from Texas Dept. of Transportation but have not heard back from them. There has been so much construction in this area – new housing, and many new businesses and parking lots. Of course, I don't presume to name the causes or the remediation, but in summary, the storm water removal system we have now is 40 to 50 years old and grossly inadequate.

When we first approached Deer Park about this situation, we were invited to a council meeting to hear a presentation from an engineering company that was beginning work on several areas in Deer Park to alleviate the drainage problems. We were dismayed to discover that Westside Manor was not one of the areas being addressed. As a result, we have talked to many of the neighbors who were happy to sign a petition addressing this situation and requesting something be done to alleviate it. I now respectfully present this petition for your consideration.

Deer Park is a wonderful place to live and I have every faith that this situation will be addressed in a timely manner and resolved as soon as possible.

To: James Stokes
cc: Engineering & City Council
To: Pasadena and Deer Park City Councils

Thank you,
Guynell Gunn

During our Petition to the Deer Park City Counsel August 20, 2019, we were told that Shell Oil worked with TX DOT and Harris County Flood Control to limit the size of the drainage boxes under Highway 225 so that it would not flood one of their toxic waste sites close to the Boggy Bayou drainage area.

Now that we know of a major "Bottleneck" on Boggy Bayou, we can move on to living with this restriction.

Following are suggestions you may wish to expand on and implement.

Short term:

1. Stop all new construction that impacts more drainage into Boggy Bayou until improvements in drainage in Westside Manor has been proven (no flooding).
2. Clean and repair all culverts leading into Boggy Bayou from Westside Manor.
3. Set large pumps and lines to drain detention ponds nearest to Highway 225 (13th street?) for immediate use when heavy rainfall is imminent. These pumps may be controlled manually or automated on demand, (both start and stop).

Longer term:

4. Remove and replace the 3' culverts with 4' culverts, install more drains where needed, lower streets and high curbs, similar to your Ridgeway subdivision improvement in Deer Park.
5. Clean, widen, and deepen Boggy Bayou and the detention ponds between San Augustine Street and Highway 225.
6. Set up meetings with all stakeholders to discuss options of more and improved drainage in the Boggy Bayou drainage system.

(these may include, Shell, PTR, TX-DOT, FEMA, Harris County Flood Control, and Cities of Deer Park and Pasadena).