

710 EAST SAN AUGUSTINE STREET

DEER PARK, TEXAS 77536

Minutes

of

A WORKSHOP MEETING OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, DEER PARK, TEXAS ON FEBRUARY 18, 2020 BEGINNING AT 6:45 P.M., WITH THE FOLLOWING MEMBERS PRESENT:

JERRY MOUTON, JR.
SHERRY GARRISON
TOMMY GINN
BILL PATTERSON
RON MARTIN
RAE SINOR

MAYOR
COUNCILWOMAN
COUNCILMAN
COUNCILMAN
COUNCILMAN
COUNCILWOMAN

OTHER CITY OFFICIALS PRESENT:

JAMES STOKES
GARY JACKSON
SHANNON BENNETT
JIM FOX

CITY MANAGER
ASSISTANT CITY MANAGER
CITY SECRETARY
CITY ATTORNEY

1. MEETING CALLED TO ORDER – Mayor Mouton called the workshop to order at 6:45 p.m.
2. COMMENTS FROM AUDIENCE – No comments received.
3. ANNUAL UPDATE ON ACTIVITIES OF THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION AND THE DEER PARK HOUSING MARKET FROM TROY COTHRAN – Troy Cothran of Victory Properties gave an overview of the annual SETH activities report which included details of the Single Family Homeownership Program which assisted 122 homebuyers in the City of Deer Park from October 2012 to December 2019 and provided the down payment and closing cost assistance totaling \$881,339. Mr. Cothran spoke of the several new programs that include a Down Payment Assistant Grant, the Mortgage Credit Certificate Program (MCC) grant that allows the homeowner a direct tax credit up to \$2000 per year in the amount of mortgage interest, the Multi-Family Program that includes the groundbreaking of a new Senior development in Bay City, which will be 65% affordable and 35% market units and also the purchase of the property in Sealy that will begin the development of an approximately 100-unit Senior development within the next 18 months along with 5 different Senior Communities and he highlighted the SETH 5 Star Program and Gold Star Program. (Exhibit A1-A3)

Mr. Cothran presented a \$1000 donation to the "Homebound Meals" Program. Senior Services Supervisor Janica Hughey accepted the donation on behalf of the program.

4. PRESENTATION OF THE SUMMARY REPORT OF THE ANNUAL COMPARATIVE ANALYSIS FOR BIAS BASE/RACIAL PROFILING – Police Chief, Greg Grigg gave an overview for the comparative analysis of the data collected for traffic stops, traffic citations issued, traffic stop arrests, asset forfeiture and seizures. In 2019, the Deer Park Police Department received two complaints of racial profiling. One of the complaints was determined to be unfounded and the second complainant refused to file a formal complaint thus the case was closed and was carried as an Administrative Inquiry. There is no indication of racial profiling within the Department. In 2019, there were no internal affairs investigations, which resulted in disciplinary action(s) taken towards an officer related to bias based policing. (Exhibit B1-B7)
5. PRESENTATION ON THE CHRISTMAS HOLIDAY DECORATION PROJECT – Parks and Recreation Director Charlie Sandberg highlighted the decoration details for several locations within the City to include City Hall, Maxwell Center, Patrick's Cabin, Theater Courts, Police Department, Center Street, Community Center and the Jimmy Burke Center and advised the Council of the hours Staff dedicates to wrap and unwrap trees with lights along with other light installations throughout the City. Mr. Sandberg also discussed new ideas for next year's Christmas Holiday Decoration Project to include proposed ideas at the Animal Shelter and possibly installation of Nativity scenes and advised Council that issues with the banners, Santa Claus, and City Hall's new Christmas tree have been resolved. (Exhibit C1-C3)

Councilwoman Garrison discussed her concern of the time it takes to prepare and complete the task in installing all of the Christmas lights and presented the question if seasonal help should be hired. Mr. Sandberg concurred that it does take many hours to complete but prioritizing the importance of the project with the Staff in charge of installing the lights helps to make sure the quality of work is visible to the Community.

Councilwoman Sinor expressed her appreciation for the pride and dedication the Staff has in taking care of decorations for the City and the disappointment of the damages done to the new Christmas tree at the Jimmy Burke Center. Councilwoman Sinor suggested making the citizens more aware of the delicacy of the decorations on the tree.

6. DISCUSSION OF ISSUES RELATING TO THE PURCHASE OF AN ELECTRONIC MARQUEE SIGN FROM DAKTRONICS TO BE PURCHASED UNDER BUY BOARD CONTRACT #592-19 FOR THE NEW EMS/FS3 – Information Technology Director James Lewis gave an overview of the electronic marquee sign that was budgeted in 2019-2020 and was proposed for an original purchase amount of \$75,000 and presented to Council that additional funds are needed for the desired sign with larger video with higher resolution for messaging and altering. The amount proposed to cover the difference is \$18,150.00.

Fire Chief Davis advocated for the sign and expressed that recruiting for volunteers is one of the main reason for the bigger sign as well as Emergency Services Director Robert Hemminger who also advocated for the sign and detailed how the sign would represent all the departments under the Emergency Services to include Fire, EMS, Fire Marshal and the office for the Administrative Staff.

7. RECESS/RECONVENE – Mayor Mouton recessed the meeting at 7:30 p.m. and reconvened the workshop meeting at 7:30 p.m.

Mayor Mouton advised Council he is very supportive of our Fire Department and the volunteerism and believes we have the finest Fire Department in the community. Mayor Mouton also expressed that anything that may enhance our communication is important and that technology, gets dated very rapidly, with cost factors for some things, as moving targets.

City Manager James Stokes commented, “I just want to point out that if it goes to a 3 to 3 vote, it will not pass, then we will be at a point of what happens next. Are we back to no sign or finding out what we can get for \$75,000? There is a Councilmember who is not here tonight. I would ask that you all wait. It will not kill us to wait one or two more meetings to figure this out and that will give Councilman Haight a chance to be present as well. If nothing else, let Staff figure out what the alternative could be if you all do not want an LED sign, because we will need some sort of sign there indicating that the building is what the building is. If it goes to a motion to pass or fail, it appears to me that it will not pass tonight and we will have the same questions that will have to be asked at another meeting anyway. My recommendation is to delay it and bring it back.”

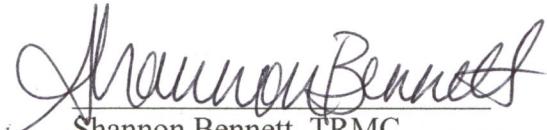
After a lengthy discussion it was the consensus of the Council to table this item to a future meeting.

8. DISCUSSION OF ISSUES RELATING TO THE SURFACE WATER TREATMENT PLANT DISINFECTION ALTERNATIVE EVALUATION – Water Plant Supervisor Nicholas Cook gave an overview of the project drivers and highlighted details of the improvement alternatives evaluations. Mr. Cook discussed the comparisons of the alternatives to include system reliability, safety considerations and operator training, along with operation and maintenance considerations and advised Council that Alternative 3 is the recommended system.

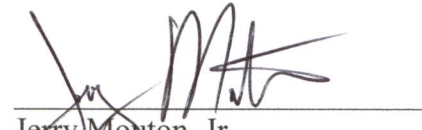
Water Plant Assistant Supervisor Matt Noland gave an overview of the research done of other water systems in other cities that have transitioned to the Onsite Hypochlorite Generation System (OHSG). A representative of Ardurra Group explained the advancement in the last 10 years of the technology to make this system more operator friendly.

9. ADJOURN – Mayor Mouton adjourned the workshop meeting at 8:00 p.m.

ATTEST:


Shannon Bennett, TRMC
City Secretary

APPROVED:


Jerry Mouton, Jr.
Mayor



SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

TO: Mayor Jerry Mouton, Jr.
City Council Members
City of Deer Park

FROM: Troy Cothran, Director/President
The Southeast Texas Housing Finance Corporation (SETH)

DATE: February 18, 2020

RE: SETH Activities Report

I would like to update the Mayor and City Council on the activities of The Southeast Texas Housing Finance Corporation.

SINGLE FAMILY HOMEOWNERSHIP PROGRAMS:

TOTAL Deer Park Homebuyers Assisted: 122 (10/15/12—12/31/19)

Down Payment & Closing Costs Assistance Provided: \$881,339

TOTAL Mortgage Funds Provided: \$18,285,000

Average Assistance per Household: \$7224.00

Average Sales Price: \$150,000

Because of Market Conditions, SETH has implemented several new homeownership programs that use a Grant or a 3, 7, & 10 year Second Lien that is forgiven over time if the homeowner remains in their home during the time limit. It also assist SETH in providing low Mortgage Rates.

SETH's Mortgage Credit Certificate (MCC) Program has been FREE since 1/1/19 to all eligible first-time homebuyers. The MCC allows the homeowner a direct tax credit up to \$2000 per year in the amount of mortgage interest. The MCC is allowable as long as the homeowner remains in the house.

All homebuyers that participate in any of SETH's single family programs are required to complete SETH's Homebuyers Education Course. In CY 2019, the total individuals educated were 7510. SETH is proud to be the first housing agency in the Country to require homebuyer's education since 1998!

SETH organized and trained over 4700 Lenders and Realtors in 2019 pertaining to our Single Family Programs Guidelines.

MULTIFAMILY PROGRAMS:

SETH continues to increase its Multifamily Portfolio. Currently, SETH is in the ownership structure of the following Communities:

- Gateway at Lake Jackson—Lake Jackson—160 units—Family
- Sweetwater—Wharton—56 units—Family
- Heritage Crossing—Santa Fe—72 units—Senior
- Birdsong Place Villas—Baytown—96 units—Senior
- Stonegate—Alvin—160 units—Family

SETH will have a groundbreaking early this Summer for a 119-unit Senior development in Bay City named Monarch at Bay Prairie. It will be 65% affordable and 35% market units.

SETH also purchased property in Sealy last year and will begin the development of an approximately 100-unit Senior development within the next 18 months.

Deer Park has a census track that has been designated as a Federal Opportunity Zone (OZ). SETH implemented a new multifamily program that provides incentives to developers to build affordable housing within any OZ in our jurisdictions. More information can be obtained at www.sethfc.com/multifamily.

SETH continues to monitor compliance on 9 multifamily developments that were financed with tax-exempt bonds. The total amount of bonds issued were over \$110 Million.

HOMEBUYER ASSISTANCE PROGRAMS IN YOUR COMMUNITY



Program provides Down Payment and Closing Costs Assistance. Government Loan Types include FHA, VA, USDA and are a Community 2nd and forgiven in 3 years. Grants provided with Conventional Options.



www.sethgoldstar.com

Program provides Larger Amounts of Down Payment and Closing Costs Assistance in the form of a Community Second. Buyers can choose between Forgiveness Terms of 7 or 10 Years.

No First Time Homebuyer Requirement

Max Sales Price \$331,200 for FHA/ \$484,350 USDA, VA, Conv.

Qualify for a Mortgage Loan with a Participating Lender

Borrower must not exceed the following income limits for Deer Park: \$107,940

SETH Homebuyer Education Course is Required and Free for Lower Income Limits

No Repayment of DPA after Community Second Forgiveness Terms



SETH HomeCredit

Mortgage Credit Certificate (MCC) Program

Our MCC Program provides eligible First Time Homebuyers a Federal Tax Credit. Can be combined with SETH 5 Star or SETH GoldStar. Must owner occupy for 9 years to avoid potential Federal Recapture Tax.

**EACH YEAR OUR HOMEBUYERS
CLAIM
40%
OF THEIR
TOTAL
MORTGAGE
INTEREST
AS A FEDERAL TAX CREDIT
UP TO A \$
MAXIMUM 2,000**

Example: Loan Amount...\$150,000 Interest Rate..4.5%

The buyer will have paid approximately \$6,750 in interest that year

Tax credit provided by our MCC Program: 40%

$\$6,750 \times 40\% = \$2,700$

MCC Savings for Homeowner.....\$2,000

Program Income Limits	1-2 Family Members	3 or More
Deer Park, TX	\$76,300	\$87,745



11111 S Sam Houston Parkway East Houston, TX 77089 www.sethfc.com 281.484.4663



Interoffice Memo

To: Gregory L. Grigg, Chief of Police *Greg Grigg, 2-6-20*

Via: Sharon W. ~~Massey~~ ^{St. Martin}, Assistant Chief of Police *St. Martin*
Wade A. Conner, Captain *W. Conner*

From: John C. Yettevich, Lieutenant *John Yettevich*

Date: 2/3/20

Subject: Annual Comparative Analysis for Bias Base /Racial Profiling (General Orders 1.2.14 G. 4 and 1.2.14 G. 5)

Chief Grigg,

Below is the information for the comparative analysis of the data collected for traffic stops, traffic citations issued, traffic stop arrests, asset forfeiture, and seizures. State law and the Deer Park Police Department General Orders 1.2.14 G. 4 and 1.2.14 G. 5 require this data to be collected and analyzed to determine if any racial profiling or other form of bias-based policing exists in the Deer Park Police Department. The findings then must be submitted to the Texas Commission on Law Enforcement (TCOLE) database via their website by March 1, 2020.

During calendar year 2019, the Deer Park Police Department received two complaints of racial profiling. One of the complaints was determined to be unfounded. On the second one the complainant refused to file a formal complaint thus the case was closed and was carried as an Administrative Inquiry.

Below you will find (1) a summary of practices including citizen concerns; (2) the data for examination of the disposition of stops, including searches resulting from the stops; (3) the report required to be entered into the Texas Commission on Law Enforcement (TCOLE) database via their website; and (4) the "Asset Seizure and Forfeit Review" memorandum from Captain W. A. Conner that is the source for this analysis.

Summary of Practices

In conjunction with the efforts mentioned below, the Police Department holds numerous community meetings throughout the year to address issues and concerns as part of our Community Oriented Policing philosophy. This is a testament of the training and the quality of officers that the Deer Park Police Department is hiring.

Since January 1, 2002, the Deer Park Police Department, in accordance with the Texas Racial Profiling Law (SB 1074), has been collecting police contact data. SB 1074 required the collection of a violator's race and whether a search was conducted and, if so, whether the person detained consented to the search on all traffic stops in which a citation was issued or an arrest made. Subsequently, House Bill 3389 of the 81st Legislature of the State of Texas requires the reporting of racial profiling data for the previous calendar year to TCOLE by March 1 of each year. The Deer Park Police Department General Order 1.2.14 prohibits all bias based policing. This General Order has been reviewed and complies with state law and current best practices. Racial Profiling is a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Article 2.133 of the Code of Criminal Procedure requires certain information be recorded each time a Police Officer stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense, unless the contact is recorded by mobile recording equipment. The Violator/Suspect Contact form (PD-69) has been developed for use by officers to record traffic and pedestrian stops made in absence of functional mobile recording equipment. The Violator/Suspect Contact form (PD-69) will be used anytime mobile video recording equipment is inoperable or unavailable.

The Deer Park Police Department has complied with all the requirements of the Texas Racial Profiling Law including officer training and distribution of information to the public on the complaint process. The Deer Park Police Department acquired in-car video equipment in June of 2003, which has been used consistently for the collection of data on all vehicular and pedestrian stops, and is constantly upgrading its technology to stay current with the times. The current system allows greater storage capacity and ready access to any supervisor's desk top computer for constant and immediate reviews of traffic stops. Finally, the Deer Park Police Department traffic citations and arrest reports comply with state mandates that require the proper information to be collected to capture data regarding racial profiling issues.

To ensure compliance with General Order 1.2.14, Deer Park Patrol Sergeants are required to review random samples of at least two traffic / pedestrian stops per assigned officer "on a monthly" basis to ensure policies are being followed. An email of that review with a memorandum attached is forwarded to the Community Services Lieutenant detailing the review and whether or not the department's policies are being complied with. Any violations of the department's policies shall be reported immediately to the Division's Commander via Interoffice Memorandum. At present, there is no indication racial profiling is occurring in the department. In 2019, there was no internal affairs investigation, which resulted in disciplinary action(s) taken towards an officer related to bias based policing.

A review of the current Deer Park Police Department General Order 1.2.14 regarding Bias Base /Racial Profiling was conducted while compiling this report, and there is no indication of a need for any changes to these policies and procedures at this time.

The following data provides a statistical summary for year 2019 that affirms that the Deer Park Police Department has not experienced any problems regarding racial profiling practices.

Again, this is supported by the fact that of the thousands of public contacts during the year 2019, the Deer Park Police Department only received two complaints from community members regarding officers' misconduct associated with racial profiling practices.

Disposition of stops, including searches resulting from the stops:

Deer Park Police Department - Racial Profiling Information

Total stops: 33,448

1. Gender

CCP 2.133(b) (1) (a)

1.1 Female: 11,851

1.2 Male: 21,597

2. Race or ethnicity

CCP 2.132(a)(3), 2.132(b)(6)(A), 2.133(b)(1)(B)

2.1 Black: 3,926

2.2 Asian/Pacific Islander: 559

2.3 White: 21,657

2.4 Hispanic/Latino: 7,230

2.5 Alaska Native/American Indian: 76

Census data estimates, as of July 2019, for Deer Park, Texas → **Total Population is 33,931**

	Number of Stops	Percentage of Total Population based on Census data	Total Population Equivalent from % based on Census data	# of Stops v. Total Population based on Census data
2.1 Black	3,926	1.7%	577	11.57%
2.2 Asian/Pacific Islander	559	1.8%	610	1.65%
2.3 White	21,657	59.1%	20,053	64%
2.4 Hispanic/Latino	7,230	36.3%	12,317	21%
2.5 Alaska Native/American Indian	76	1.7%	577	0.22%

2.1 Black

Total Citations on State Highway 225: 627 minus 78 Warning Citations = **549 Total**

Total Citations on Center St.: 262 minus 50 Warning Citations = **212 Total**

Total Citations on East Blvd.: 151 minus 17 Warning Citations = **134 Total**

16% of total stops that resulted in an issued citation on 2.1 Black were on S.H. 225
 7% of total stops that resulted in an issued citation on 2.1 Black were on Center St.
 4% of total stops that resulted in an issued citation on 2.1 Black were on East Blvd.

2.3 White

Total Citations on State Highway 225: 1,585 minus 175 Warning Citations = **1,410 Total**

Total Citations on Center St.: 1,126 minus 299 Warning Citations = **827 Total**

Total Citations on East Blvd.: 748 minus 80 Warning Citations = **668 Total**

7% of total stops that resulted in an issued citation on 2.3 White were on S.H. 225

5% of total stops that resulted in an issued citation on 2.3 White were on Center St.

3% of total stops that resulted in an issued citation on 2.3 White were on East Blvd.

3. Was race or ethnicity known prior to stop?

CCP 2.132(b)(6)(C)

3.1 Yes: 468

3.2 No: 32,980

4. Reason for stop?

CCP 2.132(b)(6)(F), 2.133(b)(2)

4.1 Violation of law: 5,560

4.2 Preexisting knowledge: 347

4.3 Moving traffic violation: 17,404

4.4 Vehicle traffic violation: 10,137

5. Street address or approximate location of the stop

CCP 2.132(b)(6)(E), 2.133(b)(7)

5.1 City Street: 30,159

5.2 US highway: 325

5.3 County road: 5

5.4 State highway: 2,901

5.5 Private property or other: 58

6. Was a search conducted?

CCP 2.132(b)(6)(B), 2.133(b)(3)

6.1 Yes: 1,833

6.2 No: 31,615

7. Reason for Search?

7.1 Consent: 411

CCP 2.132(b)(6)(B), 2.133(b)(3)

7.2 Contraband in plain view: 29

CCP 2.133(b)(5)(A)

7.3 Probable cause: 477

CCP 2.133(b)(5)(B)

7.4 Inventory: 238

CCP 2.133(b)(5)(C)

7.5 Incident to arrest: 678

CCP 2.133(b)(5)(C)

8. Was Contraband discovered?

CCP 2.133(b)(4)

8.1 Yes: 914

8.2 No: 919

9. Description of contraband

CCP 2.133(b)(4)

9.1 Drugs: 413

9.2 Currency: 2

9.3 Weapons: 42

9.4 Alcohol: 73

9.5 Stolen property: 9

9.6 Other: 375

10. Result of the stop

10.1 Verbal warning: 18,810

CCP 2.133(b)(8)

10.2 Written warning: 2,396

CCP 2.133(b)(8)

10.3 Citation: 10,970

CCP 2.133(b)(8)

10.4 Written warning and arrest: 7

10.5 Citation and arrest: 137

10.6 Arrest: 1,128

CCP 2.133(b)(6)

Arrest Total = 1,272

11. Arrest based on

CCP 2.133(b)(6)

11.1 Violation of Penal Code: 585

11.2 Violation of Traffic Law: 198

11.3 Violation of City Ordinance: 1

11.4 Outstanding Warrant: 488

12. Was physical force resulting in bodily injury used during stop?
CCP 2.132(b)(6)(D), 2.133(b)(9)

12.1 Yes: 9
12.2 No: 33,439

Information to be submitted to TCOLE in the form of a FULL RACIAL PROFILING REPORT:

Agency Name: DEER PARK POLICE DEPT.
Reporting Date: 2/3/20

TCOLE Agency Number: 201204

Chief Administrator: GREGORY L. GRIGG

Agency Contact Information: Phone: 281-479-1511
Email: jyettevich@deerparktx.org
Mailing Address:

DEER PARK POLICE DEPT.
2911 Center Street
Deer Park, TX 77536

This Agency is filing a full racial profiling report. Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

By submitting, the chief administrator affirms that the agency has a policy in place in accordance with:

Texas Code of Criminal Procedure §2.132 and that the policy:

- (1) Clearly defines acts constituting racial profiling;
- (2) Strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- (3) Implements a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) Provides public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and email address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

- (5) Requires appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) Requires collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:
- (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search;
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
 - (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
 - (E) the location of the stop; and
 - (F) the reason for the stop; and
- (7) Requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
- (A) the Texas Commission on Law Enforcement; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: **GREGORY L. GRIGG**
Chief Administrator

DEER PARK POLICE DEPT.

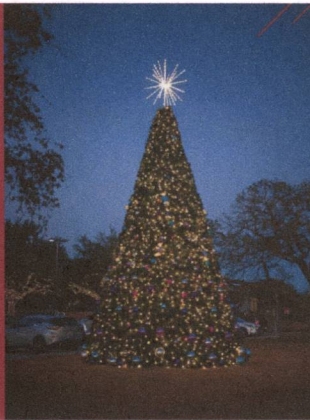
Date: _____

Deer Park
Christmas Lights
2020



City
Hall

City
Hall



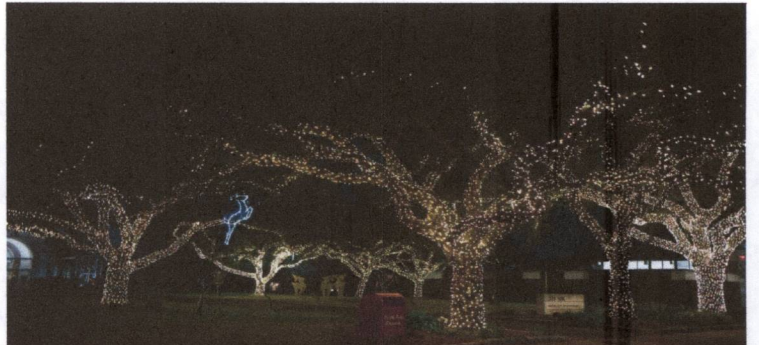
Maxwell
Center



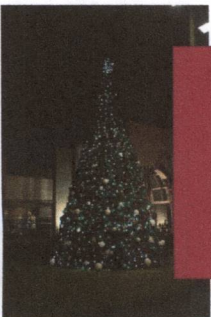
Patrick's
Cabin



Theater Courts



Theater Courts



Deer Park
Police Department



Community center



Center Street



Jimmy Burke Center



Christmas decoration stats:

- Tree Wrapping 645 hours, 13 days
- Rest of installation 696 hours, 22 days
- Take down 582 hours, 12 days
- Total Staff Hours = 1,923