Julie Masters, Mayor
Charles Suderman
Bruce Henderson
Walter Wilson

MINUTES

City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats, Mayor Pro Tem
Louis Decker
William H. King III
Julie M. Robinson, City Administrator

January 12, 2016

NOTICE is hereby given of a **REGULAR MEETING** of the City Council for the City of Dickinson, County of Galveston, State of Texas, to be held on **TUESDAY, January 12, 2016,** at **7:00 p.m.** at: 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items. The City Council of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM:
Invocation and Pledge of Allegiance.

Mayor Masters called the meeting to order at 7:05 p.m. Pastor J. Dawsey with BEC Church gave the invocation, and Council Member Wally Deats led the Pledge of Allegiance. City Secretary Carolyn Anderson called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Wally Deats, and Council Members Charles Suderman, Walter Wilson, Bruce Henderson, Louis Decker and William H. King. Also present were City Administrator Julie Robinson, Administrative Services Manager Stephanie Russell, Director of Community Development Zach Meadows, Public Works Director Kellis George, Fire Marshal Lee Darrow, Management Assistant Alun Thomas, and Chief Ron Morales.

Mayor Masters asked that Item 3A, the swearing in of Police Officer Haven Smith be considered at this time.

3A. Swearing in of New Police Officer Haven Smith

Chief Ron Morales introduced Officer Haven Smith, and Mayor Julie Masters administered the oath of office.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

- Welcome to everyone present and wishes for a Happy New Year
- Welcome to new police officer Haven Smith
- Reminder of the election on May 7, 2016
- Council Members Deats, King and Henderson stated that they will be running for re-election
- Congratulations to Glen Blake – former President of University of Houston
- Hats off to City staff for the Christmas luncheon and recognition of employees for years of service

- Thanks to the Police Department and everyone involved in the location of a missing youth
- City Attorney will address open carry laws
- Mega lottery
- Thanks to City Administrator Julie Robinson for conveying information to citizens through the automated call system concerning changes to trash service during the holidays
- Thanks to Officers Boyd and Pruitt for helping a family who experienced the loss of a family member
- Council Member Suderman provided an update on the Festival of Lights. 2015 was a record attendance of over 82,600 people. Thanks to the local businesses, school district and the citizens who provided over helped make the Festival of Lights a community event.

ITEM 3.) **PUBLIC COMMENTS:** At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

Tom Trimble, 501 Old Bayou Drive, Dickinson, Texas – Mr. Trimble referenced a hole in his yard and assistance in the repair of the hole. He also referenced the poor drainage and the street equipment sitting in the front of his home, preventing proper pick-up of his trash. Mayor Masters stated that the City will look in to Mr. Trimble's concerns.

ITEM 4.) **CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:**
The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

A. Approval of the Minutes of the Workshop Council Meeting of December 8, 2015.

B. Approval of the Minutes of the Regular Council Meeting of December 8, 2015.

C. Resolution Number 1492-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A LETTER AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND JOHNSON TRAFFIC DESIGN FOR AN IMPACT ANALYSIS OF THE RAMP REVERSALS TO INTERSTATE 45 AT FM 517; PROVIDING FOR INCORPORATION OF PREMABLE; AND PROVIDING AN EFFECTIVE DATE.**

D. Resolution Number 1493-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ALVIN, TEXAS, AND THE CITIES OF CLEAR LAKE SHORE, DICKINSON, AND SANTA FE, TEXAS, FOR USE OF ALVIN ANIMAL ADOPTION CENTER; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

E. Resolution Number 1494-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPOINTING AND DESIGNATING AN ANIMAL CONTROL OFFICER AND AN OFFICER TO ACT AS THE LOCAL RABIES CONTROL AUTHORITY FOR THE CITY OF DICKINSON; AND PROVIDING FOR OTHER REQUIREMENTS RELATED TO SUCH APPOINTMENTS.**

Council Member King made a motion to approve the consent agenda, and Council Member Deats seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

OLD BUSINESS

ITEM 5.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Activities of Houston-Galveston Area Council December 15, 2015.

Council Member King provided a brief update of the Houston-Galveston Area Council on December 15, 2015, at 10:00 a.m., stating that there was no significant activity taken by the H-GAC Board.

ITEM 6.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Activities of Dickinson Bayou Watershed Steering Committee Meeting (both December 2015 and January 2016 meetings)

Council Member Decker stated that there were no meetings during the holidays. He reminded everyone of the TCEQ meeting to be held Monday, January 25th at the Johnson Community Center.

ITEM 7.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update On Solid Waste Transition.

Mr. Steve Carroll with Republic Services provided Council with an update on how the service is going, including the holiday schedule, a green waste pilot program implemented in Bayou Chantilly, and issues with collecting past due accounts for approximately 1300 households in an amount of $225,000.00. Management Assistant Alun Thomas also briefed the Council on a household hazardous waste event that Republic Services will be working with the City on and will be scheduled in 2016. The household hazardous waste event will be funded by a grant that was awarded to the Cities of Dickinson and League City from H-GAC in the amount of $82,000. Since the Cities did not receive the full amount requested, Republic Services has agreed to fund the remaining amount.

There was a discussion concerning E-waste and how to recycle this type of waste. Mrs. Robinson advised that E-waste will be one of the things collected during the household hazardous waste event and that information will be provided to Council and posted on the website concerning E-waste recycling locations.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update of Public Works Projects

A. Eastside Drainage Project (Disaster Recovery CDBG Round 2.2: 26th Street, 29th Street, Briar Glen Subdivision Drainage)

   Mr. Kellis George updated Council on the Eastside Drainage Project and addressed the questions of Council.

B. Bayou Chantilly Drainage Project (Disaster Recovery CDBG Round 2.2: Bayou Chantilly Subdivision - Live Oak Drive from Old Bayou Drive to Camp Allen Road; Meadowlark Street from Old Bayou Drive to Camp Allen Road; Old Castle Lane from Old Bayou Drive to Camp Allen Road; Green Willow Lane from Old Bayou Drive to Camp Allen Road; Blue Water Lane from Old Bayou Drive to Camp Allen Road)

   Mr. George provided an update on the Bayou Chantilly Drainage Project and addressed the questions of Council. Mrs. Robinson advised Council that the repairs requested by Mr. Trimble during the Public Comments were the result of encroachments in the City's easement. Mrs. Robinson further advised that the City had wanted to make the repairs as part of the Bayou Chantilly Project under the CDBG Program; however, it was not possible to do so. Further, the City has had difficulty finding a company that is willing to make the repairs needed. Mrs. Robinson advised Council that the City will be going out for bid on this project in the next few weeks, and at least one contractor, Conrad Construction, has indicated that it will be bidding on the project.

C. Dakota Street Reconstruction Project (Street Maintenance Sales Tax Project)

Mr. George provided an update on the Dakota Street Reconstruction Project and addressed the questions of Council.

ITEM 9.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 832-2016 - **AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DICKINSON, TEXAS, TO EMBRACE AND INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF DICKINSON, TEXAS, ALL OF THE TERRITORY WITHIN SUCH BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH TERRITORY; MAKING FINDINGS; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.** (Third of Three Readings)

Council Member Henderson made a motion to approve the third and final reading of Ordinance No. 832-2016, and Council Member Deats seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

ITEM 10.) **DISCUSSION AND DIRECTION CONCERNING:** Additional Services Proposal To Perform Professional Services Submitted By IDS Engineering Group For The FY 2016 Street Maintenance Sales Tax Streets [35th Street (East of Kansas Avenue), Nebraska Street, Hollywood Street, Gill Road, Johnson Street, Mariner's Way, and Pine Oak Circle).

City Administrator Julie Robinson stated that staff would like direction from Council regarding the contract language that includes optional services regarding construction observation. She stated that the $23,300.00 will be built in to an amended contract to be brought before Council at the January 26, 2016 meeting. A discussion followed among Council regarding oversight and inspection between IDS and Public Works and the amount proposed by IDS for the observation services. Mrs. Robinson stated that because of the magnitude of drainage work and street projects ongoing, Public Works staff needs help because they are limited in the amount of oversight that can be provided. Mrs. Robinson addressed the questions of Council regarding the scope of work for the turnkey project. She stated that the scope of work would be similar to the CDBG projects, with Public Works still heavily involved.

Mrs. Robinson addressed Council's concerns and issues regarding previous IDS projects. She also addressed Council's questions regarding the scope of work included in the $32,000. Council Member Decker made a recommendation to hire an independent contract inspector. Mrs. Robinson updated Council on the current scope of work and dates for the next projects. Public Works Director Kellis George advised Council of the current Public Works staff qualifications and requirements.

Mrs. Robinson advised Council that staff will bring back the additional design phase and bid construction phase for approval and provide separate estimates for construction inspection. Council Member Henderson asked for a clarification of what contractor coordination entails. Mrs. Robinson stated that she will provide that clarification at the January 26, 2016 Council meeting.

Public Works Director Kellis George provided Council with the process of reviewing drawings and plans and signing off on the documents before construction begins.

NEW BUSINESS

ITEM 11.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1495-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE MAYOR IN EXECUTING AN AGREEMENT FOR PAYMENT OF PAYROLL AND TRANSFER OF VEHICLE TITLE ASSOCIATED WITH ANIMAL CONTROL AND SHELTERING SERVICES; PROVIDING FOR INCORPORATION OF PREMABLE; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Suderman made a motion to approve Resolution No. 1495-2016, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

ITEM 12.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1496-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A LEASE AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND PATRICK RESTIVO FOR THE PROPERTY LOCATED AT 3811 DICKINSON AVENUE, DICKINSON, TEXAS; PROVIDING FOR INCORPORATION OF PREMABLE; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Suderman made a motion to approve Resolution No. 1496-2016, and Council Member Decker seconded the motion. Following a brief discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

ITEM 13.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 3, ECONOMIC DEVELOPMENT, OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCORPORATION OF PREMABLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.** (First of Three Readings)

Council Member Wilson made a motion to approve the first reading of the ordinance, and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

ITEM 14.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1497-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS APPOINTING PRIMARY AND ALTERNATE REPRESENTATIVES TO THE GALVESTON COUNTY TRANSIT DISTRICT BOARD OF DIRECTORS FOR THE FY 2016 – FY 2017 PERIOD; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Suderman made a motion that Mayor Pro Tem Wally Deats be the primary representative to serve as the City's representative to the Galveston County Transit District Board of Directors for the FY 2016-FY 2017 period and that Council Member Henderson serve as the alternate. Council Member King seconded the motion.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

ITEM 15.) **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Appointments/Reappointments to Boards and Commissions.

Council Member Henderson made a motion to reappoint the following to the Board of Adjustments, and Council Member Wilson seconded the motion:

Board of Adjustments:
Dawn King
Tim Philpot
Ronald Hebert

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

Council Member King made a motion to reappoint the following to the Planning & Zoning Commission, and Council Member Henderson seconded the motion:

Planning & Zoning Commission:
R.G. Reeder
Bill Bonham
Bill Latimer
Greg Smith

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

Council Member Deats made a motion to reappoint Allen Carlile, Dawn King and James Ayers and appoint Martin P. Hodgins to the Board of Adjustments, and Council Member Suderman seconded the motion:

Building Standards Commission:
Allen Carlile
Dawn King
James Ayers
Martin (Marty) P. Hodgins

VOTE:
5 AYES (Suderman, Henderson Deats, Decker and King)
1 NAY (Wilson)
MOTION PASSED

Mayor Masters recessed the regular meeting at 8:31 p.m.

ITEM 16.) EXECUTIVE SESSION: The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

A. Section 551.071 – Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

B. Section 551.072 – Deliberation Regarding Real Property – Discussion Regarding the Purchase, Exchange, Lease or Value of Real Property

ITEM 17.) RECONVENE

Mayor Masters reconvened the regular meeting at 8:55 p.m.

ITEM 18.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session

None.

ITEM 19.) ADJOURN

Council Member Henderson made a motion to adjourn the meeting at 8:55 p.m., and Council Member Henderson seconded the motion.

VOTE:
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)
0 NAYS
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 26th day of January, 2016.

Julie Masters, Mayor

ATTEST:

Carolyn E. Anderson, City Secretary

CITY OF DICKINSON, TEXAS 77539 INCORPORATED 1977