

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

February 9, 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, February 9, 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 7:00 p.m. Council Member Wally Deats gave the invocation and members of City Council 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, III. Also present were City Administrator Julie Robinson, City Attorney David Olson, Administrative Services Manager Stephanie Russell, Director of Community Development Zach Meadows, Management Assistant Alun Thomas, Public Works Director Kellis George, and Chief Ron Morales.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

- Welcome to everyone present
- Congratulations to Council Member Wilson and his wife Linda on their 40th wedding anniversary
- Welcome back and glad to see Council Member King after hospitalization from a head-on collision
- Atta Boy to Officer Lupe Vasquez for pushing a stranded truck out of the path of traffic
- Detective John Lopez will be retiring in May after 41 years in law enforcement and 15 years of service with the City of Dickinson
- Public Works Director Kellis George will retire in May after 32 years with the City of Dickinson
- Festival of Lights annual meeting at True Cross Catholic Church cafeteria, Saturday, February 13, from 8:00 – 12:00
- Knights of Columbus Fish Fry – 5:00 – 7:30 first three Fridays in March. New drive-through pick-up window

- Condolences to the family of Jimmy Hayley, President of Texas City-La Marque Chamber of Commerce
- Attendance at the DISD Education Foundation Cooking for the Classroom event at the Knights of Columbus Hall
- Condolences to the family of Clarence Clary, Galvestonian and owner of Clary's Restaurant in Galveston
- February 20th - 6th Dickinson Housing Family Fair from 10:00 am – 1:00 pm at Mt. Carmel Baptist Church, 2920 Hwy 3 – Public Invited
- Council Member King advised that he had attended the H-GAC meeting on January 19th; however, he was unable to report on the meeting during the January 25, 2016 Council meeting due to his involvement in an automobile accident
- Attendance at NIMS emergency management training led by David Popoff

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.**

Elizabeth Quigley and Sister Ricca – 217 Main Street – League City, Texas - Update on the services provided by the Christus St. John Point of Light Clinic located at 2401 Termini Street, Suite 100-D, Dickinson, Texas 77539 and their upcoming fund-raising gala Thursday, April 7, 2016

Liz Harris – 2114 Holly Drive – Dickinson, Texas – Expressed concerns of flooding on her property due to the construction at 2111 E FM 517

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.

- Approval of the Minutes of the Workshop Council Meeting of January 26, 2016
- Approval of the Minutes of the Regular Council Meeting of January 26, 2016
- Approval of the Minutes of the Special Joint Meeting of the City Council and Dickinson Economic Development Corporation for February 1, 2016.
- Resolution Number 1500-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN**

THE CITY OF DICKINSON, TEXAS (CITY), DICKINSON INDEPENDENT SCHOOL DISTRICT ("DISD"), AND GALVESTON COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (WCID#1) FOR A JOINT ELECTION FOR THE MAY 7, 2016, GENERAL ELECTION; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

E. Resolution Number 1501-2016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A MASTER SERVICE AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS (CITY), AND CENTER FOR TOXICOLOGY AND ENVIRONMENTAL HEALTH, LLC ("CTEH"), FOR THE PROVISION OF INDUSTRIAL HYGIENE, EMERGENCY RESPONSE, AND OTHER ENVIRONMENTAL CONSULTING SERVICES; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

F. Resolution Number 1502-2016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE TEXAS COALITION FOR AFFORDABLE POWER, INC. (TCAP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR FIVE YEARS FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018; AUTHORIZING TCAP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING THE MAYOR, CITY ADMINISTRATOR OR THE EXECUTIVE DIRECTOR OF TCAP TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018 AND COMMITTING TO BUDGET FOR ENERGY PURCHASES IN 2018 THROUGH 2022 AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2018 THROUGH 2022 THROUGH TCAP; AND PROVIDING AN EFFECTIVE DATE.

Council Member Deats asked that Item 4B be pulled down from the consent agenda.

Council Member Wilson made a motion to approve Items 4A, 4C, 4D, 4E and 4F. Council Member Henderson seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)

0 NAYS
MOTION PASSED

ITEM 4B.) CONSENT AGENDA:

B. Approval of the Minutes of the Regular Council Meeting of January 26, 2016

Council Member Wally Deats asked that Item 9, page 4, of the Regular Minutes of January 26, 2016 - Options for Bus Shelter Location For City Hall Complex Gator Run Bus Stop be corrected to reflect the following:

Currently reads: "There being no further discussion, it was the direction of the majority of the Council to locate the proposed bus shelter in the grass median/esplanade between the parking lot and the drive that runs in front of the Library."

Request to read: "There being no further discussion, it was the direction of the majority of the Council to locate the proposed bus shelter in the grass median/esplanade between the parking lot and the drive that runs in front of the Library, with the exception of Council Members Deats and Henderson preferring the location north of the library."

Council Member Deats made a motion to approve Item 4B with the stated corrections and Council Member Henderson seconded the motion. There being no further 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 of Public Works Projects

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

Public Works Director Kellis George provide an update on the Dakota Street Reconstruction Project and addressed the questions of Council.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 833-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 1, INTRODUCTION, 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. (Second of Three Readings)

Council Member Henderson made a motion to approve the ordinance in two readings, 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 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 834-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 4, HOUSING, 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. (Second of Three Readings)**

Council Member Suderman made a motion to approve the ordinance in two readings, 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

NEW BUSINESS

ITEM 8.) BRIEFING, DISCUSSION AND DIRECTION CONCERNING: Texas Department Of Transportation Proposed Widening and Improvements To FM 517 From FM 646 To State Highway 35 In Alvin And Possible Submission Of Comments On Behalf Of City Of Dickinson.

Council Member Deats provided Council with an update on the Texas Department of Transportation proposed widening and improvements to FM 517 from FM 646 to State Highway 35 in Alvin. A discussion of the project followed including the proposed additional right-of-way, additional turn lanes, through lanes, raised median, use of bar ditches as opposed to closed drainage, concerns about the effects on property owners along FM 517, the compliance of the proposed improvements with the Access Management Study that was done for FM 517, and the possibility of the I-45 widening and the FM 517 widening projects coordinating to ensure that the entire length of FM 517 is improved as part of one of the projects. Council

member Deats recommended the following comments be submitted to Texas Department of Transportation by the February 18 deadline:

1. Request that all additional right-of-way be taken from the north side of FM 517 since it will have less impact on existing businesses and homes.
2. Request the coordination of the FM 517 widening project with the I-45 widening project so the mile gap in between the two projects is not left without improvements.
2. Reconcile any proposed improvements with the Access Management Study completed for FM 517.
3. Request that any new traffic intersections be hardened
4. Request that the proposed second dedicated left turn lane on westbound FM 517 at FM 646 be changed to a left turn/through lane.
6. Request closed drainage system as opposed to open bar ditches.
7. Request that no detention ponds be located on FM 517.

It was the consensus of the Council to submit the comments to Texas Department of Transportation as proposed by Council Member Deats.

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING AND APPROVING THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION'S PROJECT TO EXPEND FUNDS TO REIMBURSE \$107,000.00 TO LILLEY INVESTMENTS LLC d/b/a MARAIS RESTAURANT FOR BULKHEADING WORK TO BE DONE FOR MARAIS RESTAURANT; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (First of Two Readings)

Council Member Suderman made a motion to approve the first reading of the resolution, and Council Member Wilson seconded the motion.

VOTE:

6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 835-2016 - **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A CAPITAL BUDGET FOR THE CITY OF DICKINSON, TEXAS, FOR FISCAL YEAR 2015-2016; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS**

RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.
(First and Only Reading)

Council Member King made a motion to approve the first and only reading of the Ordinance No. 835-2016, and Council Member Henderson seconded the motion. A discussion occurred regarding how the Council will review the CIP during the annual budget process, and Administrative Services Manager Stephanie Russell addressed the questions of Council. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 11.) DISCUSSION AND DIRECTION CONCERNING: Quote For Pavement Assessment Services.

Administrative Services Manager Stephanie Russell introduced Bart Williamson with Data Transfer Solutions who addressed questions regarding the process, inventory collected, and the final report. Following the discussion, it was the consensus and direction of Council for staff to move forward with the quote.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Appointment of Council Liaisons to City Boards and Commissions.

Mayor Masters recommended the following Council liaison appointments to serve on City Boards and Commissions and stated that the liaison appointments will be reviewed annually:

Dickinson Economic Development Corporation

Primary – Mayor Julie Masters

Alternate – Council Member Wally Deats

Planning & Zoning Commission

Primary - Council Member Bruce Henderson

Alternate – Council Member Walter Wilson

Dickinson Management District #1

Primary - Council Member Charles Suderman

Alternate - Council Member William H. King, III

H-GAC and Fair Housing Work Group

Council Member William H. King, III

911 District and Dickinson Bayou Watershed Steering Committee

Council Member Louis Decker

There being no further discussion, Council Member Wilson made a motion to approve the appointments to the Boards and Commissions as recommended by the Mayor. Council Member Decker seconded the motion.

VOTE:

6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)

0 NAYS

MOTION PASSED

Mayor Masters recessed the regular meeting at 8:09 p.m.

ITEM 13.) 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.
- C. Section 551.074 – Personnel Matters To Deliberate The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline Or Dismissal Of The City Administrator.

ITEM 14.) RECONVENE

Mayor Masters reconvened the regular meeting at 9:15 p.m.

ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed In Executive Session.

None.

ITEM 16.) ADJOURN

Council Member Deats made a motion to adjourn the meeting at 9:15 p.m., and Council Member King seconded the motion.

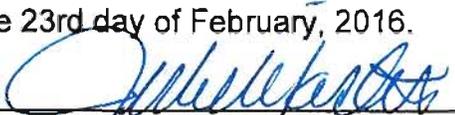
VOTE:

6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)

0 NAYS

MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 23rd day of February, 2016.



Julie Masters, Mayor

ATTEST:



Carolyn E. Anderson, City Secretary

